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**LOCAL GOVERNMENT PARTY POLITICS  
AND ANC COUNCILLOR REPRESENTATION:  
THE DYNAMICS OF COUNCIL  
DECISION-MAKING IN SOUTH AFRICA**

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## ABSTRACT

Councillors serving as elected representatives of the African National Congress (ANC) in South Africa have increasingly gained a poor public reputation and decline in electoral support since 2006. Community perception surveys produced by research organisations have pointed to corruption, patronage, rent-seeking, gatekeeping and factions as the main contributors of ANC councillors' failures to represent the development interests of the electorate. Moreover, the escalating protest action against the 'lack of service delivery' playing out in the public domain, have led scholars such as Atkinson (2007) and Southall (2007) to conclude that local government resembles a 'dysfunctional' South African state that is in a 'crisis'.

Apart from this analysis and conclusion, however, we know little about the decision-making practices and experiences of councillors representing the ANC ruling party. The contribution made by this thesis is that it offers an alternative approach to the study of local government by using organisational ethnography to examine the everyday practices and dynamics of representation from the perspective of ANC councillors. The thesis draws primarily on observations of Kalahari Municipality council and its executive committee; shadowing of the mayor; informal discussions and interviews with ANC ward councillors and committee chairpersons, senior managers, municipal union members, and ANC regional and branch party officials.

Through the observation of councillors exercising their representational role in council and executive committee decision-making structures, this research will reveal that there are tensions between representing the interests of the ANC regional party, national government priorities and communities. The demands made by the ANC regional party at times constrain the power and autonomy of ANC councillors' from representing the developmental interests of communities and the national government's agenda of 'building a capable and developmental state'(NDP, 2012:414-478). The ANC regional party's dominating presence at local government level, is embedded within the practices of conflating the ANC party with the state (Booyesen, 2015; Southall, 2013). Although the blurring of the party and state at local government level elucidates features of neopatrimonialism, however the complex power struggles of cooperation and resistance against patronage practices and gatekeeping amongst state actors needs to be understood within the partisan bureaucratic system which local government functions under.

The conflict ridden relationship between ANC councillors and their ANC regional party structures explored in this thesis, demonstrates the ways in which ANC councillors are able to adopt strategies such as internal opposition to resist and challenge the manifestation of 'state capture' by the ANC regional party, which is propelled by particularistic interests, corruption and patronage. The shifting loyalties and defiance against towing party lines in the ANC caucus reproduce uneven terrains of ANC party cohesion and subordination in council decision-making. The organisational ethnographic in this thesis brings to light the short comings of the patronage analytical framework that has been used to homogenise local government, which often obscures the understanding of the heterogeneous practices of ANC councillors in local government decision-making.

The thesis argues that beneath the surface of ANC patronage politics, corruption and popular protests against lack of local government's capacity to deliver services brought forward by scholars and commentators who view local government as a homogenous entity; lays deeper and systematic tensions and contradictions of representative local democracy that needs to be understood from councillors' perspective. As suggested by Bierschenk and Olivier de Sardan (2014:14), the state should be seen not as an entity but a bundle of practices and processes in a field of complex powers. Practices which seek to strengthen and weaken the development of the state do coexist (ibid) and they vary in their intensity in their local context. Therefore, councillors' representational autonomy and powers in practice should be understood within the politics of multiple state actors and the ANC's struggle for control over local government.

**Declaration**

This is to certify that the work presented herein is composed by myself, except where other authors have been acknowledged. No part of this thesis has been submitted for any other degree or qualifications.

Signed:

(Thina Zamambo Lotia Nzo)

Date:

## ACKNOWLEDGEMENTS

My PhD is dedicated to our late grandfather Alfred Nzo, my grandmother Zoleka Nzo and my late mother, Nomhle Nzo-Sitole, who passed away on the 13<sup>th</sup> of April 2016, four months before pursuing my PhD in the UK. My late mother espoused an unwavering conviction and belief in education as a means for emancipation - which became a central feature in my life. This belief motivated me to pursue my postgraduate studies during an emotionally and financially difficult period in my life. I owe gratitude to my husband for supporting me during my studies in the UK. Leaving my husband with my son after one month he was born was also extremely challenging for both of us. I am forever grateful for his unconditional love and sacrifices he made in supporting me on this journey. Not forgetting my one and only sister, Lona who has always been my cheerleader in my academic pursuit.

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## **LIST OF ABBREVIATIONS**

<b>ANC</b>	African National Congress
<b>BEC</b>	Branch Executive Committee
<b>CFO</b>	Chief Financial Officer
<b>COGTA</b>	Cooperative Governance and Traditional Affairs
<b>COPE</b>	Congress of the People
<b>COSATU</b>	Congress of South African Trade Unions
<b>CWP</b>	Community Works Programme
<b>DA</b>	Democratic Alliance
<b>DPLG</b>	Department of Local Government and Traditional Affairs
<b>EPWP</b>	Expanded Public Works Programme
<b>FF+</b>	Freedom Front Plus
<b>GEAR</b>	Growth Employment and Redistribution
<b>HR</b>	Human Resources
<b>IDP</b>	Integrated Development Plan
<b>IGR</b>	Inter-Governmental Relation
<b>IMF</b>	International Monetary Fund
<b>LED</b>	Local Economic Development
<b>LGSETA</b>	Local Government Training and Authority
<b>LLF</b>	Local Labour Forum
<b>MM</b>	Municipal Manager
<b>MPAC</b>	Municipal Public Accounts Committee
<b>NT</b>	National Treasury
<b>NDP</b>	National Development Plan
<b>NEC</b>	National Executive Committee
<b>PEC</b>	Provincial Executive Committee
<b>PR</b>	Proportional Representation
<b>RDP</b>	Reconstruction and Development Programme
<b>REC</b>	Regional Executive Committee
<b>SALGA</b>	South African Local Government Association
<b>SAMWU</b>	South African Municipal Workers Union
<b>SAP</b>	Structural Adjustment Programme
<b>ZANU PF</b>	Zimbabwean African National Union (Patriotic Front)

## CHAPTER ONE

### INTRODUCTION

Councillors and municipal officials have shown that they are incapable and do not represent the interests of the entire community, especially the elderly and youth. Instead they made decisions on their own, forgetting that they were elected into those positions by the very same community that is being neglected. It is evident that they have their own mandate.

(Interview with Ward 27 ANC Branch Youth League Member, 26 November 2015)

#### 1.1 Research Problem

There is a view held widely by local government scholars that through decentralisation, the proximal location of local government councils being closest to communities foster a direct relationship between citizens' and government through the exercise of representation, accountability and responsiveness (Sharpe, 1988; Totemeyer, 1988; Wunsch, 2002; Olowu and Wunsch, 2003; Mattes, 2008; De Visser, 2009; Paradza, 2010; Grant et al, 2014; Tan et al, 2016). In this thesis, councillors as elected representatives are viewed as key mediators between the state and society (Pitkin, 1967; Svava and Mouritzen, 2002; Sanson, 2013; Grant et al, 2014). Therefore there is an expectation that community interests regarding local development and the delivery of municipal services should be represented by councillors as elected representatives in municipal council decision-making processes.

In South Africa, there is a local government legislative framework that defines councillors' prescriptive roles and responsibilities in council decision-making.<sup>1</sup> Councillors have a constitutional responsibility of ensuring that local municipalities deliver local services ranging from housing, water, sanitation, refuse collection, construction and maintenance of municipal roads and storm water infrastructure, including local revenue collection and passing of municipal by-laws (see Chapter 7 of the South African Constitution, 1998; SALGA, 2006). However, councillors of the African National Congress (ANC) as a liberation party in power are increasingly facing criticism for being less concerned with representing community service delivery needs. As the opening vignette exemplifies, ANC branch members at Kalahari Municipality where this study was conducted, claim that ANC councillors' do not represent the interests of the

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<sup>1</sup> See the South African Local Government Association (SALGA, 2006:4), Municipal Systems Act (2000), Municipal Structures Act (1998), Municipal Finance Management Act, (2003) provides councillors with representative, political management, oversight and accountability roles ward councillors, members of the executive and portfolio committees in council.

electorate and are concerned with their 'own mandate'. This illustrates that disenchantment against ANC councillors is not only expressed by citizens and communities, but also expressed within the ANC. This corroborates with the assertion made by scholars such as De Visser (2009:11), who suggest that while local government is understood to be best positioned at local level with the aim of advancing wishes and aspirations of communities in the locality, however this does not necessary lead to the legitimacy of decisions taken at local level.

The subject of local democracy and representation has been often approached through the citizen centred perspective.<sup>2</sup> This analytical approach tends to focus on state and society conflict (Beall et al, 2005) as a way of examining the extent to which local government is achieving its developmental role in society from citizens' perspective. In the midst of the declining electoral support for ANC councillors (Schulz-Herzenberg, 2007), emphasis on what has become broadly known as 'service delivery protests' has been the preoccupation of most local government analysts who sought to provide an understanding for this electoral decline (see Alexander, 2010; Tauyatswala, 2014; Booysen 2007 and 2009; Moore, 2015; Ramjee and van Donk; 2011; Pernegger, 2015; Pithouse, 2007; Powell et al, 2015; von Holdt et al, 2011; von Holdt and Alexander, 2012). The decline for ANC electoral support overlaps with the growing public perceptions of ANC councillors entangled in corruption and patronage (see Atkinson, 2007; Alexander, 2010; Booysen, 2015; Hart, 2014; Mohale, 2015 Ndletyana, 2014; Nyar and Wray, 2012).

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<sup>2</sup> See Booysen, S. (2007), 'With The Ballot and The Brick: The Politics of Service Delivery in South Africa', *Progress in Development Studies*, Vol 7(1): p21-32; Booysen, S. (2009), 'Beyond The Ballot and The Brick: Continuous Dual Repertoires', in Munslow, B and McLennan, A. (eds), *The Politics of Service Delivery in South Africa*, Johannesburg: Wits University Press, p:110-142; Alexander, P. (2010), 'Rebellion of The Poor: South Africa's Service Delivery Protests – A Preliminary Analysis', *Review of African Political Economy*, Vol. 37; von Holdt et al, (2011), 'The Smoke That Calls: Insurgent Citizenship Collective Violence and Struggle for a Place in the New South Africa', Johannesburg: Centre for The Study of Violence and Reconciliation; Ramjee, M and van Donk, M. (2011), 'Introduction: Community Voice and Dissatisfaction', in *Recognising Community Voice and Dissatisfaction: A Civil Society Perspective of Local Governance in South Africa*. Johannesburg: Good Governance Learning Network (GGLN); von Holdt, K and Alexander, P. (2012), 'Collective Violence, Community Protest and Xenophobia', *South African Review of Sociology*, Vol.43 (2):p104-111; Tauyatswala, L. (2014), 'The Anatomy of Community Protests in a Post-apartheid South Africa', *Umsebenzi Online*, Vol. 13 (7); Powell, D; O'Donovan and De Visser, J. (2015), *Civic Protest Barometer 2007-2014*, Community Law Centre; Moore, N. (2015), 'The Civic Protests Barometer, Episode Five: So What Can Be Done?', *Daily Maverick*, <http://www.dailymaverick.co.za/article/2015-03-24-the-civic-protest-barometer-episode-five-so-what-can-be-done/>, accessed 25 May 2016.

The decline in public confidence and glaring popular protests under the presidency of Jacob Zuma has raised the concerns amongst commentators and researchers about the characteristics of the South African state. The concept of 'fragile' state offered by Beall (2005) and advanced by Robinson et al (2016) attempts to capture the complex and contradictory characteristics of the South African state. Robinson et al (2016) particularly place an emphasis on how the transition from apartheid to post-apartheid managed to create a stable sovereign state that adheres to internal bureaucratic systems and has established institutions governed by the Constitution and legal frameworks. On the other hand some scholars have argued that the rise in inequalities and unemployment, coupled with diminishing participatory local democracy system (Ballard et al 2006; Beall et al, 2005; Mattes, 2008; Piper, 2010) that is accompanied by confrontational service delivery protest action playing out in the public domain against ANC councillors who are criticised for engaging in corruption, patronage and nepotism, signifies a state that is in a 'crisis', 'dysfunctional' and 'failing' to achieve its developmental role (see Alexander, 2010; Atkinson, 2007; Southall, 2007; Booysen, 2007 and 2009; Butler 2010; Pieterse and van Donk, 2013).

The above conclusions resonate with the deterministic strand of conclusions offered by scholars such as Bayart (1993), Chabal and Daloz (1999) and Medard (2002) who define African states as failed states as a result of their predatory or patrimonial bureaucratic characteristics. Describing the South Africa post-apartheid state as a 'dysfunctional' state through the lens of a turbulent local government tends to generalise and homogenise local government and prevents us from understanding the variations and heterogeneous practices of municipalities as bundle of powers with their own political dynamics. Alternative analysis to the latter conclusion has been offered by Cooper-Knock (2016), who points our attention towards understanding that the broader public discourse and consensus on using the term crisis to describe the destabilising 'new contours' formed in South Africa's political and social landscape have come to dominate recent academic and popular discussions of South Africa, which does not necessary define the South African state as a 'failed' or 'dysfunctional' state. Moreover, Beall et al (2005), von Holdt and Alexander (2012) and Robinson et al (2016) offer an entry point in trying to understand the contradictions of the South African state by using concepts such as 'fragile state', which adds a valuable insight into the ways in which communities have come to experience post-apartheid local government under the ANC government. Nevertheless,

the conceptualisation of a 'fragile state' also overly relies on observations made from ANC national sub-national politics and the recent phenomenon of state capture of State Owned Enterprises<sup>3</sup> (Chipkin et al, 2017), which does not provide adequate and in-depth insight into the complex everyday practices and dynamics of the state from below at local government level.

In other words, evidence gathered from media reports, government reports, citizen perception surveys, and observation of protests limit our understanding of the relationship between ANC councillors and their ANC regional party structure; and *how* this relationship impacts on ANC councillors' representational role and powers in council and executive decision-making structures. We know very little about how ANC councillors negotiate and navigate through competing representational demands from the ANC party, communities and national government priorities of delivering the developmental state agenda. On the other hand, Booysen (2015) and Southall (2013) have recently begun to critically examine the ANC's tendency of conflating the party with the state - these authors agree that the increasing blurred distinction between the party and state tends to undermine the basic constitutional functioning of government thus pervading the legal bureaucratic rational of the state.

Although the party-state conflation contributes to the understanding of the ANC as a dominant party in power has come to use its hegemony to control the state machinery, nevertheless, it also do not clearly tell us how this phenomenon occurs at local government level in relation to the practices and experiences of councillors as incumbent elected representatives of the ANC ruling party. The analysis on the dominant influence and the role of other state actors such the ANC regional party structure (known as the ANC Regional Executive Committee) operating at subnational level, the South African Municipal Union (SAMWU) which is the ANC trade union alliance, the senior managers who are partisan members of the ANC, is also not well articulated in detail by most local government scholars and commentators.

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<sup>3</sup> The state capture issue drew the attention of many commentators and scholars, which generated a debate about the nature and characteristics of the South African state under the political leadership of Jacob Zuma. A group of scholars and commentators produced a research called *'Betrayal of The Promise: How South Africa Is Being Stolen'*, in 2017, which encapsulates the events, media reports, debates and the public protector's published report that was based on an investigation by the Public Protector. This report demonstrates the way in which Jacob Zuma and his ministers, including senior government officials, had colluded with a network of corrupt cronies in business.

The objective of this thesis is to explore the politics of local government decision-making from ANC councillors' perspective. The contribution made by this thesis is that it offers an organisational ethnographic insight into the everyday experiences and practices of local government representatives through the observation of ANC councillors 'in action' during council and committee meetings (Rhodes, 2014:7). This thesis deliberately employed organisational ethnography as a way of complicating the above-mentioned scholarly contributions, and more broadly, to reassess the assumed dysfunctional local government state of South Africa. This thesis draws our attention to key issues on the executive committee and council agenda that generated conflict and tensions amongst state actors such as ANC councillors, senior managers, the municipal union and ANC regional party structure, who want to control, capture and influence the agenda and process of municipal decision-making. The conflicting interests of these state actors are situated within the debates of ANC party-state conflation, neo-patrimonialism, corruption and patronage in South Africa.

Through the study of councillor representation, it particularly seeks to demonstrate how local government continues to show signs of resistance against neo-patrimonial forms of corruption, irregular deployments and patronage within its partisan bureaucratic system, despite it being labelled as a sphere of government that is 'failing' to be developmental. This resistance is directed at defying the manifestation of state capture from particularistic interests of the ANC regional party propelled by corruption and patronage practices in local government. In essence, this thesis has cautioned the use of corruption, patronage and deployment as precursors that define local government as a 'failed' and 'dysfunctional' state as this prevents us from exploring the ways in which councillors navigate and negotiate their way around the deviant behaviour and practices of ANC regional structures and partisan administrators who play a key role in facilitating corruption and patronage. Therefore we need to explore in particular how councillors respond and exercise their representational role within the ambit of competing interests and the political dynamics involved in the process of decision-making.

## **1.2 Kalahari Municipal Council Case Study**

A qualitative case study approach of a municipality named Kalahari Municipality has been employed in order to examine the political dynamics of local government councillor representation in South Africa. Organisational ethnography was used to study the practices, experiences and behaviour of ANC councillors while executing their political responsibilities in executive and council decision-making processes. Due to politically sensitive information presented in this thesis, the municipality has been given a pseudonym. The demographic information has also been omitted in order to protect the municipality and councillors who participated in this study from being identified. The Northern Cape Province is the only real name used in this study in order to locate the provincial positioning of Kalahari Municipality in South Africa.

The ANC ruling party at Kalahari Municipality was the party with majority electoral support and seats in council and the Democratic Alliance (DA) was the main opposition party. Local government in South Africa uses both the Ward and Party Proportional Representation system. Therefore Kalahari Municipal Council consisted of 62 councillors as elected council representatives, of which 32 councillors were Ward councillors and 30 were Proportional Representation (PR) councillors. The ANC controlled 23 wards and the DA controlled 9 wards. The 30 Proportional Representation (PR) councillors were councillors from the different parties (ANC 18, DA 7, COPE 5 and ACDP 1). The DA predominately controlled wards in former white middle-high income residential areas, while the majority of ANC ward councillors represented former low-middle income black township areas.<sup>4</sup> The political shift observed in the recent 2016 local government elections outcome - where opposition parties such as the Democratic Alliance (DA) and Economic Freedom Fighter (EFF) began to have a presence as coalition governing parties in major metropolitan city councils - did not have much impact on the ANC majority rule at Kalahari Municipality.<sup>5</sup>

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<sup>4</sup>Although South Africa abolished racial segregation, however, racial classification of groups and racial spatial settlement patterns continue to resemble the colonial and apartheid racial classification. This means that Black, Coloureds (referring to mixed race) and White groups continue to occupy residential settlements assigned to them during the apartheid era, of which the Coloured group has maintained a battle ground for votes between the ANC and the DA.

<sup>5</sup>Local government electoral support for the ANC has been on a gradual decline from 65% in 2006 local government elections, to 62% in 2011 and 55% in the recent 2016 elections, with the ANC receiving less than 50% voter in four of the eight metropolitan municipalities the ANC previously controlled. With the EFF, as a breakaway party from the ANC, more voter share thus leading to a coalition of smaller parties with the DA in municipal councils such Johannesburg (City of Johannesburg Municipality), Krugersdorp (City of Johannesburg Municipality), Mogale City (City of Tshwane Metropolitan Municipality) and Port Elizabeth (Nelson Mandela Bay Metropolitan Municipality).



The Municipal *Council* - presided by councillors from both ruling party and other opposition parties - is the highest decision making body (see Chapter 7 of South African Constitution, 1998:75). However, council at Kalahari Municipality elected a *mayor* and 10 other councillors to serve as members of the *executive committee*<sup>6</sup>. Therefore, the executive committee - chaired by the mayor - is the political management structure that has decision-making powers and functions delegated by council. The ANC councillors as the ruling party at Kalahari Municipality used its majority seats to vote for an ANC mayor and 10 other ANC councillors to serve as members of the Kalahari Municipality executive committee. This includes the appointment of the *speaker* of council (the chairperson of council), *chief whip* (the chairperson of the ANC caucus).

Diagram 1: The Kalahari Municipality Council Structure And The ANC Regional Executive Committee (REC) Operating Outside Council

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<sup>6</sup> In South Africa, depending on the population size and financial capacity of a municipality, municipalities have the option using the *executive* or *collective executive* system (see South African Local Government Municipal Structures Act, 1998).

The political sphere (council, the mayor and executive committee) at the apex of political decision-making at the Kalahari Municipal organisation was the primary field site of my research for the understanding of councillor representation in the process of council decision-making. ANC councillors constituted the executive committee at Kalahari Municipality due the fact that the party held majority seats in council. Therefore, gaining trust from ANC councillors and access into private political decision-making spaces contributed the main reason for choosing to focus on ANC councillors.<sup>7</sup> The second reason for focusing on ANC councillors at Kalahari Municipality was to provide an in-depth insight into ANC councillors and their relationship with the ANC regional party structure, including other actors such as the administration and municipal union. This thesis does not delve into the role played by organised and non-social movements and community groups who sought to influence councillors in council decision-making due to the substantive literature and research developed for the understanding of state-society relations in local government.

The *administrative sphere* is located below the political sphere at Kalahari Municipality. The administrative consists of the municipal manager as the head of the administration, with five senior managers that head the different departments with support staff who have the responsibility of implementing council and mayoral executive committee decisions (see Lipskey, 1980).<sup>8</sup> According to local government legislation, the municipal manager and senior managers directly accountable to the municipal manager are appointed by council (see Section 125 of the Municipal Systems Act, 1998). However, many studies have revealed that the current practices of appointing senior managers in the public service in South Africa is intercepted by an informal system of ANC deployment (see Cameron, 2010; Mafunisa, 2003; Maseremule, 2015; Mapunye, 2001; Naidoo, 2010, which gives the ANC regional structure the political authority and powers to select and approve the appointment of candidates to serve as senior public servants and political

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<sup>7</sup> During the period of my field work in 2014/15, there was heightened political activity, such as intensive political campaigning and lobbying leading up to the 2016 local government elections. This generated tensions, political distrust and hostilities between the ANC and opposition parties, which would have limited my access to politically sensitive information that provide insight into the detailed intricacies of council politics. This also became part of the reason why I chose to exclude other councillors from the opposition party such as the DA, in order to maintain trust from the ANC group of councillors.

<sup>8</sup> According to the South African Local Government Municipal Structures Act (1998), the decision-making powers remain the legislative prerogative of councillors rather than senior managers.

office bearers<sup>9</sup>. The extent to which ANC deployment practices were also found at Kalahari Municipality and the impact of deployment on the administration will be discussed in detail in chapter 3 and 4.

It is also important emphasise that while the ANC regional party structure may seem to have influence in the decision-making processes of the municipality, it operates outside of the municipal council structure. The substantial influence it has on council decision-making is derived through political mandates that are represented and carried out by ANC councillors in council. The solid lines demonstrated in Diagram 1 flowing from the ANC regional party structure to the ANC *Party Caucus* (headed by the ANC chief whip) represents a structural process that allows the ANC regional party structure to cascade ANC political mandates to councillors regarding council and executive decision-making.

The ANC regional party structure in particular, has been criticised by most analysts as ‘unduly interfering’ in the municipal bureaucracy (see Cameron, 2010:26 and De Visser, 2009:12). This relationship has resulted into conflating the ANC party with the state (Booyesen, 2015 and Southall, 2013). Therefore this diagram also shows the political process through which the conflation of the ANC party and state occurs from a local government perspective. However, before encountering the field in 2014, there were deep divisions and factions in the ANC regional party structure, which involved ANC councillors. These divisions had a ripple effect in the ANC caucus in terms of generating party cohesion amongst councillors when conducting council politics.<sup>10</sup> In order to mediate the factional power struggles in the region, the ANC provincial party (ANC Provincial Executive Committee) decided to put the regional party under ANC provincial political administration<sup>11</sup> and also disbanded the Kalahari Municipality mayoral executive committee.

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<sup>9</sup> The ANC regional party structure at Kalahari Municipality also extends its influence and authority in the appointment of council political office bearers such as the mayor and the speaker of council (chairperson of council), chief whip and chairpersons of portfolio committee using the ANC cadre deployment policy (1997).

<sup>10</sup> The ANC Northern Cape Provincial Organisational Report (2012) cited how ANC regional party officials were settling political scores with the ANC councillors coming from ANC branches that were on the opposite faction, through purging and deliberate obstruction to carry out their municipal responsibilities

<sup>11</sup> This meant that the ANC regional party could not take any decisions concerning the municipality or any other ANC sub-regional structure without the approval of the ANC provincial party executive.

The ANC provincial party also recalled the former mayor, speaker and chief whip and chairperson of committee in December 2013. These powers were given back to ANC regional party in the course of my fieldwork. Under these political dynamics, the ANC provincial party assumed hierarchical authority in appointing political office bearers (mayor, speaker and chief whip) that were under study. This includes the appointment members of the executive committee and chairpersons of the portfolio-committees revealed in Diagram 1.

The influential powers of the ANC regional party over ANC councillors is further re-enforced by an informal council structure, named the *Troika*, which was established at Kalahari Municipality. The *Troika* is an informal decision-making structure composed by the mayor, speaker and ANC chief whip working parallel to the executive committee is therefore formalised. The ANC regional party justified the establishment of the *Troika* as a way of finding synergy between the mayor, the speaker and chief whip in municipalities and does not have local government legislative powers and functions to operate in the municipality. To demonstrate the way in which the ANC regional party seeks to entrenches its political mandates, the dotted lines flowing from the ANC regional and branch structures to the *Troika* demonstrated in Diagram 1, also earmark the informal process taken by the ANC regional party with the aim of gaining direct control and influence over the executive committee and administration decision-making.

The ANC party and state interface dynamics are not limited to political decision-making structures between the *Troika* and the executive committee, but also between political office bearers such as the speaker and the mayor as a result of lack of separation of powers between the executive and council committee system. By demonstrating both the parallel formal and informal relations between the ANC regional party and the political - administrative sphere of Kalahari Municipality, this thesis provides a much-needed structural understanding needed for examining how the ANC regional party is able to exercise its authority and influence of the representational focus of councillors in council decision.

### **1.3 Argument of the Thesis**

Against the backdrop that decision-making powers of municipalities rest on the council and delegated to the mayoral executive committee system presided by ANC councillors, the main question the thesis sought to explore is: *why have ANC councillors been unable to represent the development interests of communities within the process of decision-making?* The sub-questions that this thesis further explored are:

- *How do ANC councillors understand their representational role within competing interests of state actors such as communities, the administration, municipal union their ANC regional political party and national government's development priorities for local government?*
- *How do ANC councillors respond to these competing interests?*
- *What factors shape or influence ANC councillors' representative claims in decision-making processes?*
- *What impact do ANC regional politics have on councillors' representational focus?*

During my fieldwork, it became clear that the practices relating to councillor representation in post-apartheid South Africa reveals a messy and complicated process of decision-making that is partially negotiated and often contested in party political spaces. This suggests that the application of legislative prescribed roles of councillors is augmented by the actual practices of councillors when executing their representational roles and responsibilities. Councillors' representation is further complicated by the informal practices permeated by the dominant presence and political authority of the ANC regional party and partisan bureaucracy system. While councillors place an emphasis on representing the development interests of the state and their communities/constituencies, the politics and particularistic interests of a partisan bureaucracy and ANC regional party often obfuscates councillors from placing both the state and community interests at the forefront of their representational focus.

The relationship between councillors and their ANC regional party structures explored in this thesis demonstrates the ways in which ANC councillors are able to resist the dominant control and interference of the ANC regional party in the process of redistribution of state resources that takes places through municipal decision-making. This resistance is directed at challenging the manifestation of 'state capture' from below by the ANC regional party, which is propelled by particularistic interests, corruption and

patronage practices in local government. This demonstrates the shifting loyalties of councillors that are produced through internal opposition of ANC councillors within the ANC, thus reproducing uneven terrains of ANC party cohesion in council decision-making. In this light, this thesis demonstrates that ANC councillors are learning and finding various ways of navigating and managing their prescribed roles while negotiating around the limitations of their representation autonomy and powers. The organisational ethnographic method applied in this thesis helped to provide a deeper and more nuanced insight into the paradoxes and complexities of local government decision-making within the framework the ANC party-state conflation.

As we will see in the thesis, the relationship between councillors, senior managers, the municipal union and the ANC regional party, is rigged with tensions and conflict of which these tensions and conflict further complicate the representative claims of councillors. This research will reveal that local government representation is reshaped by the complex tangles of ANC party politics and power dynamics multiple state actors that are more nuanced beyond the neopatrimonialism characteristic often used to define the way political office bearers in Africa and bureaucrats run the state. These power dynamics and politics amongst state actors at times constrain the powers and autonomy of ANC councillors' from representing the developmental interests of communities and the national government ambitious agenda of 'building a capable developmental local government'(NDP, 2012:411). Therefore this thesis argues that beneath the surface of ANC patronage and corruption, lack of local government's capacity to deliver services, and community dissatisfaction with local service delivery in many municipalities, lays deeper and systematic tensions and contradictions of representative local democracy that needs to be understood from councillors perspective. The thesis emphasises the point that decision-making structures are potential sites of internal ANC party struggle, conflict and tensions permeated by the contradiction between prescribed roles and responsibilities, on the one hand, and the real conduct and practice of councillors in relation to other state actors, on the other hand. As suggested by Bierschenk and Olivier de Sardan (2014:14), the state should be seen not as an entity but a bundle of practices and processes in a field of complex powers. Practices which seek to strengthen and weaken the development of the state do coexist (ibid) and they vary in their intensity in their local context. Therefore councillors' representational autonomy and powers in practice should be understood

within the politics of multiple state actors and the ANC's struggle for control over local government.

## **1.4 Contribution to Literature**

### *1.4.1 Neopatrimonialism in African States*

This thesis makes a contribution to literature that sought to better understand and examine the complexity of African politics and bureaucratic administration beyond the neopatrimonialism - from a local government perspective. Jean-Francois Bayart's *Politics of the Belly* (1993) describes African states as patrimonial states that conflate private and public interests, where political leaders use their positions as elected political office bearers to enrich themselves, using rent-seeking to distribute state resources to their clients in return for political loyalty. His views were advanced by two prominent scholars of African studies such as Patrick Chabal and Jean Pascal Daloz (1999), who reaffirmed Bayart's description of African politics predominated by patron-client, which undermined democracy and state delivery through Weberian bureaucratic legal-rational of a modern state. While Bayart (1993) has been hugely influential with respect to subsequent analyses of corruption in Africa, he has been criticised for inadequately problematizing the state, treating it as if it exists outside of the society in which it is located (Oliver, 2017:13). He has also been criticised for generalising the African political experience and portraying the history of the continent as if it were static (Kawabata, 2006 in Oliver, 2017:13).

African states that came to resemble democratic regimes, yet displayed the confusion of public with private realm of office holders within modern bureaucracies and legal-bureaucratic norms and structure (Bruhn, 2012:28) were defined as neopatrimonial. Neopatrimonialism and corruption have often been used to describe the deviations of most African states from the Weberian ideal-type bureaucracy (Chabal and Daloz, 1999; Bratton and van de Walle, 1994). Bratton and van de Walle emphasise that:

In contemporary neo-patrimonialism, relationships of loyalty and dependency pervade a formal political and administrative system and leaders occupying office pay less attention to perform public service than to acquire personal wealth and status. The distinction

between private and public interests in deliberately blurred. The essence of neopatrimonialism is the award by public officials of personal favours both within the state and society (1994:458).

The broad application that homogenises African states as neopatrimonial tends to examine African states through the prism of Weberian logic and conclude that because African state do not conform to the rational-legal ideal, they deficient or deviant (Willot, 2014:91). These assertions seem to suggest that there is absence of institutional law and capacity of the state put in place policies and deliver public goods; and in turn, tend to stereotype African states as homogenous states that are inherently corrupt and 'klepto-patrimonial' (McIntyre quoted in Bach, 2012: 34). Thematically, informal practices relating to corruption and patronage are described as characteristic that define African bureaucracies.

However, Bach and Gazibo (2012:24) argue that such neopatrimonial practices are globally wide spread across Latin America, Europe, Central and East-Asia, therefore neopatrimonialism should not be projected as an exceptional 'archetype of anti-development' and commonly equated with predatory forms of personal rule in African states (Bach, 2012:44). Pitcher et al, (2009) also critically argue that the application of neo-patrimonialism offers very little analytical assistance in terms of analysing the complexity of African states. Accordingly, Erdmann and Engel (2006:61) further state that neopatrimonialism has been used as a 'catch-all concept' to describe social relations, kinship, 'big-man politics', corruption, patronage, rent-seeking behaviour, blurring of public office for private gain and regime types (Pitcher et al, 2009:131), and the coexistence of patrimonialism and rational-legal institutions (Bratton and van de Walle, 1994:62).

In Erdmann's (2007:62) point of view, neopatrimonialism lacks clear definitions and does not help to distinguish attributes that would allow us to determine the specific character of regime types or forms of patrimonial and legal-rational domination. Pitcher et al (2009) go on to describe how countries such as Botswana, which present a success case study...may also show complex reciprocity of that link government and its citizens, and legitimacy is reinforced both through the rule of law and personal bonds, which can be mutually constitutive of the relationship that exists between personal and public (2009:150). Supporting this argument, Beresford (2015:4) states that most African



countries demonstrate hybrid political systems in which patron-client politics exist alongside at least partially functioning electoral democracy. He notes that there is no singular and inevitable trajectory for patterns of elite accumulation in post-colonial Africa, and that neopatrimonial regimes lead to state decline and collapse in some instances, while in other they are compatible with developmental outcomes and comparatively functional states (ibid, 2015:21).

The deficiencies in this analytical framework have fed into the South African discourse on corruption and influenced the public response (Oliver, 2017). South African analysis fails to detect the nuances between different patronage and corruption models, and in lumping them together, their alternative developmental trajectories are obscured (ibid). The ‘big man’ focus of President Jacob Zuma (Booyesen, 2015) in literature and analysis also tends to be particularistic, in that it tends to focus on the actors at the apex of national government, while losing sight of the nuanced practices of state actors from below at local government level, which illuminate state institutions such as municipalities as sites of struggles and contestations for power and resistance against corruption and patronage. As suggested by Bierschenk and Olivier de Sardan (2014:14), the state should not be seen as an entity but a bundle of practices and processes in a field of complex powers.

#### *1.4.2 Patronage and Corruption in South Africa*

Within the public administration and political science circles in South Africa, scholars have demonstrated that corruption under the post-apartheid ANC government should not be viewed as a new phenomenon. Corruption has been historically built upon an already existing covert ‘patrimonial’ and corrupt apartheid state of the former National Party (see Lodge, 1999 and 2014; Hyslop, 2005; Sebudubu, 2008). They argue that the policies of the ANC government since 1994 facilitated patronage and encouraged corruption, using public resources to promote the positions of their supporters and to build a support based (ibid). The soft approach in dealing with corruption and lack of enforcement of disciplinary measures by the ANC party and the state on transgressors, as explained by Lodge (1999) and Johnston (2014), can also be traced to the historic political culture of impunity and tendency to resolve internal problems through internal political processes.

Johnston (2014:59) also places an emphasis on how the corruption of public officials and the ANC political party after it came into power, amplified what he terms as the ‘pitfalls of moral consciousness as a result of patronage’, thereby crippling the state. The assumption here falls in line with the profuse application of neopatrimonialism to describe predatory forms of personal rule and control of resources, with a consequence of ‘failure of institutions’ (Medard, 2002:328) or ‘the decline of the African state’ (Chabal and Daloz, 1999:24). Johnston’s (2014) assertions are exemplary of how political scientists tend to emphasise the transgression of both the law and social norms of morality (Anders, 2007) in association with public conduct of state actors that portrays the failure of the state. While patron-client relations may be interwoven between ANC elected officials and community members, it is mostly characterised by rent-seeking and ‘crony capitalism’ (Beresford, 2015:5), which evidently has become rife under President Jacob Zuma’s administration. In this regard, Beresford (2015:13) suggests that within the current system of rent-seeking, we need to think about the different ways in which this is shaped by the economic life of the private and public sectors, where the state’s use of tenders to empower black-owned businesses has created opportunities for the exercising of patronage and crony capitalism.

Other political scientists argue that privatisation and neo-liberalism (Alexander, 2010), new class formation (Bond, 2002 and Southall, 2013), and the need to gain material wealth due to social prestige (Mashele and Qobo, 2014) have contributed to the desire for private accumulation by politicians and state officials through collusion with the private sector at the expense of state resources. The state is seen as a dispenser of patronage and as a generator of public-sector jobs, contract procurement, individual wealth accumulation and social mobility. In terms of local government, a recent study on local government poverty and patronage conducted by Nedletyana et al (2014) and Ndletyana (2015) revealed that ANC councillors also use their political power to influence the awarding of contracts to local companies in exchange for kickbacks and anonymous donations to ANC political leaders.

Beresford (2015) also notes how ANC councillors accused of corruption as a result of gate-keeping and patronage practices are related to the facilitating the selling of council houses in collusion with administrators in the council housing division, accepting bribes from community members to get their names on top of the council housing beneficiary

list, and submitting names different from the party branch 'official' list of unemployed community members in order to get employment in community cleaning and infrastructure development projects. This thesis contributes to the recent turning point in the interpretation of neo-patrimonialism and the study of corruption by showing that portrayal of South Africa as a failed is rather deterministic and narrow. Most authors fail to show that in the midst of neopatrimonial practices observed in South Africa under Jacob Zuma's administration, from a local government perspective, the state actors do demonstrate a level of resistance against corruption the capturing of the state office holders. Therefore, the state can be both developmental and neo-patrimonial at the same time (see Gazibo, 2012; Moene, 2012).

Olivier de Sardan (1999) makes a striking contribution to the understanding of corruption in Africa through his work on 'A moral economy of corruption in Africa', where he demonstrated the ways in which this field of study is more complex and fraught with social and political difficulties that the designers and promoters of western solutions to African corruption<sup>12</sup>. We draw on Olivier de Sardan's (1999; 2014) argument that we need to study of the interaction between formal and informal norms resulting in practical norms applied by public servants. This point is also further advanced by Therkildsen (2014) who acknowledges the coexistence and interaction of formal and informal institutions within a formal polity such as a modern state (legal-rational bureaucracy) in African bureaucracies.

Anders and Nuijten (2007:2) also offer an alternative perspective to the study of corruption, from the predominant market-related perspective (legal and moral characterisation), public office perspective (deviation from formal roles) and public interests perspective (private gain at the expense of the public) as a basis to define corruption. They suggest that corruption should be viewed as an institutionalised phenomenon that is 'embedded in wider power relations in society which requires careful investigation with the socio-political context' (Anders and Nuijten, 2007:2). Although

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<sup>12</sup> He also offers an alternative understanding to corruption through what he terms as 'corruption complex', which covers a range of illicit practices such as peddling and prevarication, by covering all practices associated with corruption and anchoring it into everyday practices (de Sardan, 1999: 26-29). In his work, he cited contributing factors such as the experience of colonialism, the absence of private property at village level, underpayment of public servants that frame his notion of everyday practices.

corruption and law may be binary opposites, they assert that corruption and law are ‘constitutive to each other therefore cannot exist without each other’ (ibid, 2007:11). Therefore it is important to understand ‘cultural banalities and complexities’ that are embedded within African social systems (Olivier de Sardan, 1999; De Maria, 2009; Smith, 2001).

This thesis contributes to the study of corruption through the use of organisational ethnography by demonstrating the complexity of corruption with regards to the way in which patronage, corruption, maladministration and collusive behaviour between councillors, public officials, and ANC party leaders is interwoven with the everyday partisan political processes at the various levels of the municipal organisation. While scholars may point to the corrupt practices of politicians which subverts the legal-rational, this thesis also reveals the complex levels of power structures and authority, cascading down to administrators, who on the other hand exercise their autonomy as state actors in directly manipulating state regulations by irregularly distributing state resources that may benefit ANC party officials rather than councillors. Politician’s response in dealing with corruption is fluid, of which it is influenced by tacit moral codes, informal political processes, party loyalty and the application of the bureaucratic legal-rationale, of which they are not mutually exclusive. Therefore dealing with corruption is a carefully negotiated process, which involves the application of both informal and formal norms, political and moral justification in decision-making, which intercept and influence each other (Therkildsen, 2014:124). The methodological direction taken in this thesis will hopefully stimulate alternative ways of studying and understanding corruption from below.

#### *1.4.3 Local Government Decision-Making*

This thesis also engages with literature on representative local democracy (Eulau, 1976; Mill, 1865; Pitkin, 1967). Within representative local democracy, decision-making is one of the key responsibilities of elected representatives (councillors) serving in the executive and other committees. Decision-making roles of councillors relate to deciding on what public goods to deliver, how to allocate and distribute resources, as well as playing a financial oversight role in ensuring that municipal finances are distributed to society in a transparent and accountable manner. The study of decision-making has been underpinned

by policy making theories such as *rationale* and *incremental decision-making* used to analyse the different approaches on how decisions are made by state actors (see Laswell, 1956; Lindblom, 1993; Parsons, 1997). However, such analytical approaches of decision-making in a councillor's world of party politics does not fall neatly and precisely within the methodical application of prescriptive decision-making theories and models.

By contrast, this thesis rather contributes to the literature that appreciates that council decision-making is conflated with party politics and can be a messy process that involves consensus and political negotiation reached through conflict amongst various interest groups, giving rise to conflict and tensions. Different interests and popular power are realized through councillor group activity and the working of councillors each represents one of the many interests (Dearlove, 1973; Fung and Wright, 2001; Gaventa, 2003; Lindblom, 1993). This is grounded in Dahl's (1958) seminal work on the study of power in relation to pluralism, where he argues that power in societies is widely distributed among different groups but not equally so; and therefore sources of power are unequally though widely distributed amongst individuals and groups in society.

Echoing Dahl's position, Hill (2005) also suggests that power is fragmented and dispersed rather than concentrated on one individual or group. This thesis also contributes to the assertion of the shifting terrains of power relations between councillors, where power is located and distributed amongst the different groups of councillors working as disparate collectives. Power is also distributed to other actors such as ANC political actors, municipal union and senior managers who seek to influence decision-making. Although the degree of influence varies in accordance to the limitations of councillor's executive and non-executive functions, however, councillors holding non-executive positions are able to make their voices heard at some stage of decision-making process.

Page (1999:57) also notes that it is important to understand how different groups through their 'insider' or 'outsider' status in various structures of decision-making that hold power are able to influence decisions. According to Page (ibid), it is assumed that the 'insider' group has a greater degree of influence on issues put on the table and do not expect to be 'the last to know' about almost any issue that affects them. Although the exclusion of non-executive ward councillors from the executive committee system of decision-making points out to the 'insider' group as having more influence over decision-making than the

‘outsider’ group. On the other hand, this thesis contributes to Page’s argument that challenges the orthodox of the dominant ‘insider’ group’s pre-determined position to influence decision-making. It does so by showing how non-executive councillors manage to cohesively lobby amongst themselves and use alternative strategies to reverse decisions taken by executive members during council meetings. This thesis examines the fluidity of power relations between executive and non-executive councillors by showing how power shifts from the executive members that are considered to be ‘insiders’ to the non-executive considered as ‘outsiders’ within the ANC group of councillors.

Moreover, ANC regional party officials operating outside the council decision-making domain, also hold political power and authority over internal executive decision-making through councillors. There is a salient role and influence of the ANC regional party political structures operating somewhat parallel to the mayoral executive committee. This thesis contributes to the understanding of power dynamics and the process of decision-making by showing how party political decision-making processes are intertwined with council decision-making. The way in which the ANC regional party structure wields political authority over the everyday activities of ANC councillors serving in the mayoral executive committee of the municipality contributes to the understanding of the limitations of power and representational autonomy of councillors.

#### *1.4.4 Political and Administrative Interface in Decision-Making*

Literature that explores the complex relationship between politicians and administrators has been extensively developed from the study of western local governments. South African scholars have relied on this literature, which is underpinned by the Weberian bureaucracy to problematize the relationship between politicians and administrators in the different spheres of government (see Cameron, 2003 and 2010; Dasandi, 2014; Mafunisa, 2003; Maphunye, 2001a and 2009; Maserumule, 2007 and 2015; Naidoo, 2014). The political-administrative dichotomy stems from the neo-classical dichotomy model of politics and administration advanced by Woodrow Wilson (1901), who argued that the roles and responsibilities of politicians and administrators should remain separate from each other. During Wilson’s era, the position of separating the administration from political decision-making in policy making was advanced for the purpose of ensuring non-partisan neutral implementation of policy by bureaucrats. In the minimalist sense, at

local government level, this would mean that council makes policies and administrators are responsible for policy implementation. Therefore, politicians should not meddle in administrative functions of public servants.

The blurring of roles and responsibilities between politicians and administrators, where politicians sought to micro-manage administrators have been observed by most scholars as the major cause for conflict and tensions that have played out in the public in many municipalities in South Africa (see De Visser, 2009; Cameron, 2009 and 2010; Maserumule, 2007 and 2015; Naidoo, 2014). This has led to some scholars suggesting that there needs to be a strict separation between politicians and administrators (see Cameron, 2010; Muphanye, 2001, Mafunisa, 2003). However, the conclusions leading to this suggestion are derived from the Weberian bureaucratic model which focuses on showing how the South African bureaucracy in general deviates from the politics and administration dichotomy model, thus paying very little attention into the practices of local government for the understanding of the type of partisan bureaucratic system local government operates under.

With regards to insulating the administration from political control of politicians, studies preceding Woodrow Wilson have refuted the dichotomy model by scholars such as Svava (2006); and Svava and Mouritzen (2002) as being rigid, impractical and idealistic. While most local government administration scholars in South Africa insist on using the dichotomy model as a point of departure for illustrating the deviant practices of local government, advocating for the legal protection of the administration from excessive control of politicians. Peters (1989:75) cautions us on the flaws of having an autonomous bureaucracy that is insulated from political accountability. In his argument, he states that the strong presence of an autonomous administrative bureaucracy that thrives on the separatist model of administration and politicians, allows the danger of giving too much room for the presence of a 'cartel of bureaucratic elites' that functions in silos, with a virtual monopoly over information in their area of expertise. This could be approximate to bureaucratic manipulation, resistance to accountability and exclusion of politicians in policy decision-making (ibid).

Agreeing with Peter, this thesis contributes to this debate by showing that a completely autonomous administration could result in the undermining of the principal-agent



relationship for the purpose of political accountability. This has a potential of allowing administrators to act on self-interests rather than being responsive to the public interests represented by the elected politicians (see Gerth, 1946). This contributes to councillors' powerlessness in terms of holding the administration accountable for the non-execution of council decisions. The findings presented in this thesis contributes particularly to Svava and Mouritzen's (ibid) political-administrative argument by affirming that the local government administrators are not entirely immune and isolated from political decision-making that is entangled with party political processes. In other words, administrators' role are not only limited to implementation policy decisions taken by politicians, but they also play a key role in influencing and guiding decision-making as advisors to politicians. Politicians are reliant on expert solutions offered by professionals, not only for implementation, but for decision-making as well. This makes professional senior managers, technocrats and administrators well sought-after, and their roles are essentially interdependent whilst recognising their separate spheres (Svava, 1999 and 2006).

Drawing on Svava and Mouritzen's (2002:220) concept of *inter-dependency* between councillors and senior managers at the apex of the organisation, this thesis argues that there is a complex interaction and interdependency between politicians and administrators and there is penetration one way or another in each other's spheres. At local government level we find that decisions are made using what Green (1989) terms as the *joint elite group*, which draws senior managers into the mayoral executive committee. As we will demonstrate in this thesis, the briefing of the committee chairperson is a two-way dialogue between the councillor and the administrator although councillors are free to reject policy proposals from senior administrators and to a certain extent can challenge their proposals and advice. There is also a reciprocal influence even though both senior managers and councillors understand there is a distinction between their legislative roles and functions.

In practice, administrators can use their discretion on how to implement policies, they can set policy initiating proposals, exercise discretion, manipulate expertise, write budgets, and determine the delivery of services, and through implementation they shape policy formulated by politicians (Svava and Mouritzen, 2002:222). Councillors get free access to all departmental heads rather than operating through the head of administration. Stoker (1999) also argues that the relationship within the elite group is frequently characterised



by tensions and conflict alongside with mutual cooperation. As we will see in this thesis, there are tensions between councillors and administrators, particularly when it comes to issues of accountability for implementation and non-implementation of council decisions. Moreover, the interface between politicians and administrators in municipalities is more complex than in other spheres of government. Thornhill (2010:183) points our attention to latent practice of councilors' communicating exerting pressure on administrators on issues relating to service delivery, of which it is viewed as a norm in the local government sphere. This practice tends to cloud the legislative roles and opens up the blurred distinction between the two functions and lines of executive authority.

However, this thesis emphasizes the need to move beyond the complimentary relationship of administrators and politicians. It draws our attention to the way in which political-administrative roles are obfuscated by a partisan administrative bureaucracy that is permeated by the practices of blurring the ANC and the state. In other words, the partisan nature of local government in South Africa further complicates the separation between politics and administrative duties and functions within the bureaucratic state machinery. To elaborate on the explicit influence and partisan ends of the ANC, council at local government as the highest decision-making body, has the powers and authority to appoint and dismiss senior administrators, thus making them accountable to council. On the other hand, the ANC deployment policy (1997) that is used to appoint elected councillors into the executive and portfolio committees also extends to the appointment of administrators into senior management positions, which primarily makes senior administrators subservient and accountable to the ANC regional party. This practice can create conflicting parallel lines of accountability – between decision making structures of the on ANC and local government institution (municipal executive and council).

Here, we emphasize that although Svava and Mouritzen's (2002) complimentary model is helpful for the analysis of the complex relationship between councillors and administrators, on the other hand, this thesis argues that the complimentary model also has its limitations in understanding the politicized nature of the South African bureaucracy under the hegemonic political management practices of the ANC. This thesis suggests that in order to understand the complexity of South African local government partisan administration, we need to go beyond the Weberian dichotomy and complimentary model by examining how a partisan bureaucracy system permits patron-

client relations between administrators and ANC politicians. This leads us to the next discussion on the politicization of the South African bureaucracy, which is tied to the partisan bureaucracy system that has the propensity of permitting administration impunity, thus impacting on the power and authority of councillors' to hold the administration accountable.

#### *1.4.5 ANC Deployment and Politicized Bureaucracy*

The system of political appointments, which is widely known as the ANC 'cadre deployment' into the state apparatus, has been identified as a common characteristic of most post-colonial states in Africa. This was informed by the political rationale that the former colonial bureaucracy ought to be replaced with a bureaucracy that is constituted by the liberation party members who are responsive and loyal to the post-colonial political agenda in the 1960s (see Kopecky, 2011). Political appointments represented an ideological shift of 'Africanising' the bureaucracy (Andreas, 2014: 208-2014; Ohemeng and Adarkwa 2015:24) and often disregarded the Weberian merit-based system. Countries such as Ghana and Tanzania which went as far as adopting one-party system that gave the party supreme power over the state (see Adamolekun, 2002), thus making politically appointed administrators subservient to the directive of the party rather than the state (Olowu and Sako, 2002).

Political appointments were also used as a tool to generate bureaucratic loyalty to sustain political power and hegemony of post-colonial liberation movements (ibid). Studies of Southern Africa liberation movements in power, which dominant parties in power such as the ANC, ZANU-PF and SWAPO that sought to exert considerable control over the state, become influential actors in mediating the relationship between state institutions and the public (Lodge, 1999; Southall, 2013). Similarly, the ANC ruling party recruited and appointed party members into most levels of government administration during the democratic transition period post the apartheid period using its ANC cadre deployment policy (1997) as a way of ensuring that the state was responsive to the transformation agenda, and continues to do so to date (Southall, 2013:132). It was also tied its ideological belief that ANC cadres deployed into the state apparatus would galvanise the political agency of implementing the National Democratic Revolution (NDR) (ibid).

The politicization of a bureaucracy refers to the partisan control of a bureaucracy that manifests from political appointments/deployment, which allows for the interception of political norms into professional norms in the administration (Cameron, 2010:679). Peters (2001:209) points out that a number of African bureaucracies that have used political appointments to recruit and appoint public servants have paid less attention to the merit appointments, even in the most trivial positions in government. Adamolekun (1986) through his study of practices in African bureaucracy raised concerns with politicised appointment of civil servants, which has drawn the attention of other scholars engaging in the subject from a South African perspective. The ANC has also faced public scrutiny and criticism for presiding over the state machinery through its deployment policy that does not take into consideration the competency and capacity of its members. This criticism is derived from using indicators such as lack of service delivery performance and corruption to determine the incompetency of deployed public servants (Atkinson, 2007; Naidoo, 2014, Southall, 2007) which scholars claim is owed to the politicisation of public servants that subverts the merit-based system of appointment (Cameron, 2010; Pieterse and Van Donk, 2013).

This argument, nonetheless, provides inadequate evidence which shows the relationship between lack of service delivery and the inefficiency of deployed ANC members assigned with the responsibility of delivering of services. Additionally, the problem with this assumption is that it tends to assume that ANC deployment or political appointments and merit-based appointment system are mutually exclusive.<sup>13</sup> Plaatjies (2012:13), on the other hand sees deployment as part and parcel of a globally acceptable practice of politicisation. Still, he also views it as a process in which parties' routinely attempt to exercise 'control or capture state institutions through appointments' (ibid). Cameron (2003 and 2010), De Visser (2009) and Maseremule (2015) go on build a case from the South African experience, that bureaucratic corruption and maladministration results from the conflation of politics and politicisation of administrative systems. As a result, the practice of using ANC deployment to appoint public servants into the state machinery is

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<sup>13</sup> Even in the City of Cape Town that the DA won from the ANC in the 2006 local government elections, senior managers that were appointed by the ANC were fired by the DA under its policy of filling key strategic positions with senior managers 'politically suitable and acceptable' to the governing party (see Cameron, 2003:54).

condemned as detrimental to professionalism, subject to political manipulation and resulting in the subversion of the law.

Thus most public administration scholars strongly advocate for a depoliticised administration - an administration that is insulated from political interference, stressing that the South African needs to adopt a merit-based system of appointment (see Cameron, 2010; Mafunisa, 2003; Maseremule, 2015; Mapunye, 2001; Naidoo, 2010). Apart from the ideological and transformation reasons behind this practice, scholars have argued that gatekeeping and patronage<sup>14</sup> has become the main characteristic during the Jacob Zuma administration. Therefore deployment is associated with ANC members who are appointed through patronage with or without the requisite skills and competency based on their personal and partisan connection with ANC party officials as a form of reward for loyalty (see Dawson, 2014; Lodge, 2014; Ndletyana, 2014; Beresford, 2015). However, Olowu and Saku (2002:59) argue that in some African bureaucracies, both the politicised and merit-based system of appointment does exist and therefore the application of both political and profession norms do coexist amongst local government administrators.

Other analysts such as Atkinson (2007) and Southall (2007) also use the concept of deployment to analyse its pervasive implications on service delivery. However, they do so with limited provision of empirically grounded work that explores the relationship between deployment and capacity to deliver services by examining the everyday routines, functioning and practices of deployed public sector managers and street-level bureaucrats (clients) who are charged with the actual delivery of services; and how they negotiate conflicting demands made by their political superiors (patrons). Therefore the limitations of the anti-deployment group of scholars tend to club together corruption, maladministration, nepotism, preferential employment, partisan loyalties and political – administrative conflicts as the result of a pervasive practice of the ANC deployment. As a result, ANC deployment is more often homogenised as a patrimonial practice that does not fit within the Weberian legal-rationale.

Using Southall's (2013) definition of *essential deployment*, this type of deployment stems from the ANC's post-apartheid transformation agenda using the affirmative action policy

and partisan and ideological representation of the ANC through the appointment of its loyal ANC comrades into the state machinery. Even though essential deployment did not pay much attention minimum competency and skills (merit), however, political appointments can be done using both partisan and merit-based criteria. The recruitment is done through the ANC deployment committee structure with the purpose of appointing loyal ANC members into strategic positions (senior decision-making position) of the administration. In return, politically appointed administrators are expected to carry out political mandates derived from the ANC and they become resourceful personnel through which the ANC party can use to access state resources for partisan political ends. Administrators appointed within this type of deployment are therefore subjected to party political accountability and subordination.

In this thesis, there are four types of deployments that have been conceptualised and identified within the context of ANC deployment practices in the local government sphere, namely *essential*, *patronage*, *irregular* and *quasi-deployment*, which some have the potential of facilitating patronage and corruption in the administration. These characteristics of deployment are not clearly identified by most commentators who have critically analysed the ANC deployment system. By disentangling the different types of deployment practices, it is possible to demonstrate the application of both political and professional bureaucratic norms by deployed senior managers that depend on the type of partisan relationship and connection they have with their political office bearers and the ANC party as whole, which is contrary to Plaatjies (2012) wholesale assumption that deployment can be used as mechanism to capture the state.

#### *1.4.6 The Relationship between the Party and State*

The existence of political parties within council politics has a profound effect on the way council decisions are made; and on the relationship between councillors and the communities/constituencies they represent. As former liberation movements have historically become increasingly organised and ascending into state power as political parties post the liberation, they have emerged as influential actors in state bureaucracies, explicitly for partisan ends. Drawing on Copus' work of party politics and local democracy, parties sees themselves as the only source of political authority, an authority

assumed from the local election which gives them the right to govern and make policies on behalf of the electorate (2004:273). Subsequent to this notion is the assumption often made parties that representation occurs through the elected incumbent (councillors) elected under the party ticket. For Copus,

The logic applied by political parties is that politics is about party activity, local democracy is how the electorate choose the party to govern them, or how parties become the embodiment of democracy and thus representation is viewed as what parties do on behalf of the electorate (2004:289).

Therefore representation is viewed by the party as an activity and domain of the party, making the incumbent accountable to the party thus subjected to representing party political decisions and policies (ibid). This scenario has been acute in the South African political system, in which the elected representatives functioned in a highly partisan environment. Hence councillors and party officials have a tendency of conflating party politics with local government representation. There has been a considerable literature that focuses on how the blurred role between the ANC and government, which has created a compliant party-state often resulting blurring of lines between the party and state. This is underpinned by the argument of how the ANC, like most liberation parties in Southern Africa, has managed to use the liberation discourse to exert its hegemony and power over the levers of power in the state apparatus as a dominant party (Booyesen, 2015; Butler, 2009, 2010 and 2015; Dorman, 2006; Giliomee and Simkins, 1999; Mnguni, 2011; Suttner, 2009 and 2014).

This literature raises critical concerns on how the ANC has managed to entrench its political dominance through the use of state power and distribution of state resources in exchange for party support to generate political power and control over the state apparatus (Booyesen, 2011 and 2015 and Butler, 2010). Booyesen (2015) and Southall (2013) have recently begun to critically examine the ANC's tendency of conflating the party with the state. These authors agree that the increasing blurred distinction between the party and state tends to undermine the basic functioning of government. Booyesen (2015:27-29) in her recent work on the *ANC Dominance and Decline* provides us with a detailed account of how the ANC as a ruling party in government has managed to construct a 'compliant state' through the distribution of state resources in exchange for party support. She argues that the ANC party sees state institutions as personal, occasional fiefdoms and use state

resources to also fight political battles. Booysen (2015) uses the ANC party and state relationship at national level to illustrate specifically how President Jacob Zuma's latch onto power has been built on patronage, loyalty of a partisan bureaucracy and crony-capitalism resulting in the erosion of the credibility of state institutions under his political leadership. Here, we find that ANC political officials act as gatekeepers by mediating access to state resources.

However, Booysen (2015), like many other authors, tend to be fixated on examining how the ANC and Jacob Zuma's 'presidentialism' at national level has managed to use the state apparatus for his personal gain (see Butler, 2009; Calland, 2013; Cooper, 2009; Johnston, 2014; Mashele and Qobo, 2014; Mathekga, 2016; Southall, 2009 and 2013). These authors fail to provide in-depth insight into how certain state organs show the existence of pockets of bureaucratic efficiency, which symbolise forms of resistance against pathological practices of patrimonialism. The underlying concern raised by the above mentioned scholars which relates to the ANC's party-state conflation practice and the ANC's attempt to gain control and influence over the agenda of government is demonstrated through its parallel processes of ANC party and government decision-making.

Diagram 2. Decentralised Parallel Decision-Making Processes between the ANC Party and Government

The above Diagram 2 demonstrates the hierarchal decentralised parallel structures between the ANC party and government from national to local level. From the ANC party organisational perspective, at national level there is the National Executive Committee (NEC), which is the highest decision-making structure, followed by sub-national party structures such as the provincial (Provincial Executive Committee), regional (Regional Executive Committee) and branch (Branch Executive Committee) structures. According to the ANC constitution (1997), the ANC regards itself as the single centre of power. This assertion draws on the ANC's principle of democratic centralism, which articulates the hierarchical system of political decision making in the ANC.

This practice has been has also been fused into the political management of government and ANC elected representatives in government. This means that top structures such as the ANC's national, provincial and regional executive at local level have higher decision-making powers and authority over the political incumbents serving in government such MPs, MPLs and councillors, including the lower structures of the ANC (Suttner, 2009). Therefore the various hierarchical ANC structures from national to local level ought to



have greater influence in shaping the decision-making processes of both the lower structures of the party and the different spheres of government. Chapter 3 in this thesis will demonstrate how decisions made by the provincial party are cascaded to the ANC regional party and municipal council.

Suttner (2009) and Southall (2007) also note that even in parliament, ANC members of parliament are expected to show loyalty by collectively defending and supporting decisions made by the ANC national party. Although ANC branch party structures operating in the ward ought to have more influence over ANC ward councillors at micro-level, however this thesis will demonstrate that in reality the top ANC regional party structure has an equally dominant presence in shaping and influencing both ward councillors and members of the mayoral executive committee of the municipality. In essence, this thesis contributes to literature on the ANC party and state by the pointing to the tensions that are permeated with the *dual mandate* of ANC councillors who are representing the developmental local government interests of their communities and as well as political mandates of the ANC regional party structure. This thesis will show that in practice, while decisions concerning the municipality that are taken in ANC provincial, regional party structures, are expected to be represented by ANC councillors in the agenda of the council. Some party political decisions are always supported by ANC councillors.

#### *1.4.7 Democratic Centralism, Loyalty and Collective Decision-Making*

Southall (2013:136) makes an assertion that there is a general trend whereby ANC party loyalties would seem to have triumphed over professionalism amongst state actors. Whilst Southall's argument may seem relevant, it is open to debate in terms of whether loyalties do indeed generate party cooperation without dissent. Loyalty and cooperation come with a significant degree of resistances and unwillingness, which generates tensions between the ANC regional party structure and councillors serving in the municipal mayoral executive committee. In order to understand the dynamics of ANC party-state relations, this thesis draws our attention to both the ANC's historical political management practices, which have been carried over into the post-apartheid period and thus have an impact on the everyday politics of councillor representation in decision-making. The work of Stephen Ellis (2012) on *The ANC in Exile 1960-1990* and Filatova and Davidson's

(2013) on *The Hidden Thread: Russia and South Africa in the Soviet Era* which examines the ANC's external missions and relations with the Soviet Union during the years of the liberation struggle, provides a detailed account of how relationship foregrounded and influence into the ANC's ideological as well as the political management practices. In this context, these scholars provides us with the understanding of why the ANC post the liberation, continues to use Marxist-Leninist language such as 'cadre deployment' and 'democratic centralism' as means to advance the 'National Democratic Revolution' (NDR) when referring into the parties political ideologies and political management practices (ibid). We find that these practices were borrowed from the Soviet Union to reinforce its power, control, loyalty and discipline over its incumbents.

This language is symbolically used to politically manage ANC elected and deployed comrades in the political structures such as the ANC regional party to generate loyalty and cohesion, which in turn may result in subordination and control of ANC party members and councillors. Other authors such as Hagman and Abbink (2011:580-582) and Southall (2013:49-50) also capture how other liberation movements such as the Ethiopian People's Revolution Democratic Front (EPRD), Namibia's South West People Organisation (SWAPO) and Zimbabwe's ZANU-PF that enjoyed political solidarity of the Soviet Union during the liberation struggle also often nostalgically referred to Marxist-Leninist ideological political management practices post the liberation.

Although the ANC has retained the Marxist-Leninist political management principles in its political language, the shift into a neo-liberal state post the liberation made it impossible for the ANC to pursue state socialism and deviated from its initial ideological thinking (Southall, 2013:250). Through the observation of ANC political management practices concerning councillor party cohesion, this thesis contributes to the debate of party loyalty by showing that the ANC's practice of democratic centralism is being eroded if not contested by councillors seeking more autonomy from the ANC party. Loyalty of councillors towards the ANC is not a given process but rather politically negotiated, which generates conflict and tensions. Therefore examining the dual repertoire of ANC councillor loyalty combined with seeking representational autonomy can help us understand how the shift in loyalty and struggle for political autonomy contributes to the diminishing and shifting terrains of power of the ANC regional party over its councillors.

#### 1.4.8 Local Government Kindred Factions, Cliques and Alliances

Factionalism has been widely used by most political science scholars in South Africa as a way of describing ANC intra-party political conflicts and dynamics and the party itself (see Butler, 2009 and 2014; Manson, 2015; Mashele and Qobo, 2014; Suttner, 2009; Mukwedeya, 2015; Naidoo, 2014). Factions at local government level are strongly tied to external ANC regional and branch party dynamics. The ties between ANC regional party members and appointed /elected representatives lays fertile ground for municipalities to ultimately becoming the battlefield for political divisions for the struggle for access to power and control of over municipal resources. Others have argued that ANC's internal factions should be understood as collective entities with internal competition; divided opinion and dissent create internal pressures resulting in factions (Butler, 2009 and 2014; Manson, 2015; Mukwedeya, 2015; Naidoo, 2014). From a local government perspective, the study of ANC factional party battles shows how the power struggles between elected ANC political office bearer councillors such as the mayor and speaker, often leading to what De Visser (2009) and Pearson and Phadi (2017) term as 'institutional instability', where administrators and councillors end up having to take sides as they fight for power and control over municipal resources (De Visser, 2009, 2010; Mukwedeya, 2014; Pearson and Phadi, 2017).

However, the wholesale approach of using factions to describe internal party conflict has its limitations because it does not provide us with a more nuanced and in-depth understanding of the tensions emanating from the battle for autonomy between ANC regional party officials and councillors. It merely focuses more on patronage and the battle for access to political office and state resources and neglects the analysis of the relationship between the ANC party and councillors. Factions in local government are fluid, complex and multifaceted, and not all factions and political differences result from spoils factions. Game and Leach (1996:465) also note that within political parties that operate at local government level, there are also multi-layered networks, often working against each other, seeking to exploit internal differences and dissent rather than seek consensus. Thus councillors as party members are prone to divisive factors resulting from personal and political disagreements and conflicts, which are not necessarily linked to national political party factions and ideological differences. These local factions are what Game and Leach (1996) refer to as *kindred factions*, which consist of political groups who

come together and form alliances based on a political agenda, shared beliefs, political and moral conviction, personal interests or clashes, social or class differences and political ambitions of those members who seek political office and power in council (ibid) but also represent local and personal cliques.

Within the ANC it has been noted that multiple splinter groups and alliances and re-alignment may also be formed amongst councillors as a result of disgruntled party members and councillors who were unable to get their preferred candidate elected into political office (Lodge, 2002:102), or unable to obtain the intended outcome. Patronage comes in handy in terms of mobilising support from faction supporters to influence decision-making. In other instances, legitimate grievances and genuine calls for accountability by other ANC party members on issues relating to the abuse of power by ANC council party leaders are suppressed by rank and file ANC members in regional party structures and can be deemed as ‘factional tendencies’. ANC councillors will manoeuvre and use different tactics by forming alliances with other aggrieved ANC councillors who share similar beliefs and interests rather than party or policy ideologies.

Copus (2004) states that such power struggle further show that parties at a local level and local elites seek to capture and retain as much power inside and outside council by using different tactics and strategies at their disposal. This purports the idea that while power and factions go hand in hand, it is also important to note that there are multiple groups, and cliques are often fluid and seek to advance their political interests using diverse methods and strategies. Therefore, examining local government councillor divisions within the confined parameter of ‘factionalism’ may not only limit our understanding of the complexities and dynamics of councillor representation, but also tend to gloss over pertinent nuances of councillors’ struggle for autonomy and representational focus within the process of council decision-making and struggles over resource distribution at local government level.

## **1.5 Methodology**

This research employed organisational ethnography to study the practices, experience and behaviour of ANC councillors as decision-makers. The political executive sphere of the municipal organisation was the primary premise for examining the dynamics of council

decision-making processes. The benefits of ‘being there’ (Rhodes, 2007:14) amidst the political drama and ‘behind the scenes’ in an organisation, observing ANC elected political representatives in action during executive and council meetings. As Ybema et al (2009:1) puts it, ‘the intricacies of everyday life of an organisational life can be better grasped not through questionnaires developed and analysed sitting in an office, but by going out into the organisational field and shadowing managers, attending meetings and appreciating the complexity of the everyday in organisational settings’. Shadowing of the mayor and councillors and observation of meetings was carried out in council and executive committee meetings at Kalahari Municipality, spaces that are not easily accessible to the public. This provides us with deeper insight and understanding of the way in which politicians make sense of their political world (Ybema et al, 2009). This research offers a rich description of the everyday practices that produce meaning in politics and policy making to better understand the actions, choices and behaviour of state actors (Ritchies and Lewis, 2003).

The fieldwork at Kalahari Local Municipality was carried out between September 2014 and August 2015. Personal and, more importantly, practical reasons influenced the choice of the municipality - of which I was an official resident. Firstly, there were personal reasons related to the challenge of being a first-time mother and leaving my son one month after his birth in September 2013 to embark on my PhD in the UK. This made it difficult for me to be away from home for extended periods of time, as I wanted to spend as much time as possible at home with my new born son in South Africa while I was simultaneously doing my fieldwork there. Secondly, on the practical side I was a self-funded student. Due to personal financial constraints related to limited funding opportunities that came after funding cuts for international students in the UK in 2010, I was compelled to focus on my own municipal council in order to lower travelling, accommodation, and other logistical costs during my fieldwork. Thirdly, obtaining access to closed decision-making structures such as the mayoral executive and portfolio committees, as well as the executive mayor’s office, within an unfamiliar municipal organisational environment would have been difficult taking into account that the field work was conducted during the period closer to the 2016 local government elections.

#### 1.5.6 *Access to the Field Site*

Gaining access to the field was crucial in the research. Prior to entering the field in September 2014, I had informally communicated telephonically with the mayor and the ANC regional secretary in order to inform them about my approaching research. The ANC provincial party officials gave me their direct contact details. This was due to the networks and political connections I had with the ANC as the granddaughter of Alfred Nzo (the former ANC Secretary General from 1961 – 1991), which also made me to think of the ways in which my position placed at the centre political privilege contributed to gaining access to senior ANC officials in the Northern Cape without experiencing bureaucratic problems. Although I was an outsider at Kalahari Municipality, however, within the ANC provincial and regional party structures, I was considered as an insider within the political movement. Therefore this removed some underlying elements or questions of trust thus in terms of gaining direct access to the mayor and ANC councillors.

I also consistently followed some of the political events in the local newspapers that unfolded at Kalahari Municipality prior to my fieldwork. As some bureaucratic organisations require more formalistic procedures and protocols to be followed in order to gain access into such organisations (Thedvall, 2013), the informal communication was followed by a formal written letter to the mayor as the political head of the municipal organisation describing the purpose of my study with a request for access to the municipal organisation. The mayor as the gatekeeper (Brewer, 2009 and Moeran, 2009) was able to grant access to the municipal organisation with the acknowledgement of the municipal manager.

I was then invited to a meeting with the mayor and the municipal manager at the council offices at the beginning of September 2014 for a formal discussion on my planned research activities, my expected stay in the municipality, including the information and support that I would require from them during my fieldwork. My presence was also officially announced at the council meeting of 26 October 2014. This served to formalise my presence in the municipality as part of the steps required by the organisational procedures (see Garsten and Nyqvist, 2013:13).<sup>15</sup> I was also introduced to my key

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<sup>15</sup> Whilst class differences make access into the field easily permissible for researchers conducting research in communities - where the researcher's position is considered more 'powerful' than the community under research - Van de Waal (2009:27) notes that organisational gatekeepers in formal urban organisations and public institutions are more conservative about letting outsiders into their organisational spaces.

informants (6 ward councillors). All of these activities unfolded between September and October 2014.

Taking into account the intrusive nature of my chosen ethnographic methodology design, I was cautious of the fact that I was about to embark on my fieldwork during the period 2014/15 that was leading up to the 2016 local government elections in South Africa. During this period there were heightened political activities taking place in the region and municipality. The activities included intensive political campaigning and lobbying, which naturally generated tensions in the local government environment, manifesting in political distrust and mutual hostilities within the ANC and opposition parties.<sup>16</sup> Because of these tensions, unlimited access to councillors from both the ruling party and opposition party would have been impossible, thus made it difficult for me to immerse into both ruling party and opposition party simultaneously. This became part of the reason why I chose to concentrate on ANC councillors, excluding other councillors from the opposition party such as the DA. Gaining the trust of politicians therefore also played a critical role in choosing the field site too (see Bryman, 1988 and Van de Waal, 2009). The already established professional networks I had with ANC provincial party added to the advantage choosing a familiar field site (see Garsten and Nyqvist, 2013:13).

However, 'being there' (Rhodes, 2007:11), doing field work in an organisation, writing about what was being observed and the experiences of the researcher, also presents its own methodological, analytical, ethical and social challenges (Ybema et al, 2013). Issues of closeness and distance in the field work (ibid), especially presenting issues that had ethical implications for my participants and subjectivity where the most significant challenges I had to grapple with. There were occasions when I would experience internal conflict, where I was torn between being a local resident-taxpayer of the municipality, on the one side, and being a researcher, on the other. This particularly relates to being privy to information regarding the allegations of financial maladministration (presented in Chapter 4) relating the OR Tambo Heritage Project, which the rest of the local residents had no knowledge of.

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<sup>16</sup> It is understandable therefore that ANC councillors and ANC regional party officials were at their most sceptical in letting 'outsiders' into their closed political spaces, particularly in municipalities where they were guarding against possible spying and leakage of confidential information that could be used as a counter-strategies in the unfolding political battles.



Also not discounting my previous professional background as a researcher and civil society activist, I could not however discard my own prejudices of knowing that there was a possibility that local residence taxpayers' money was being misappropriated by municipal officials whilst poor township neighbourhoods did not have electricity and sanitation. This includes the residence I was residing as we were experiencing problems relating to ageing infrastructure that needed upgrading such fixing potholes, poor response to water pipe bursts and poor maintenance of street lights. Thus as researcher I had a direct experience and encounter regarding services provided by local government (Blundo, 2007). This also influenced the mixed feelings I had about the recommendation to allocate resources for the erection of a OR Tambo Heritage Project (presented in chapter 4) whilst the municipality had declared that there were no funds to fix all of the above problems. Here I provide an honest account of some of the challenges that I faced doing research in a municipality that I was resident in.

This amplifies the dilemma of negotiating two roles: the role of being a local resident-taxpayer and a researcher doing research at home (Ybema and Kansteeg, 2009). According to Mosse (2006:936) quoted in Ybema and Kamsteeg (2009: 142), fieldworkers run a risk of becoming socially bound up with their field, particularly when they delve into contexts that are somewhat familiar with. I had to apply Nocolini's concept of having to constantly 'zoom out' by exiting and stepping back from the 'known world' (2009:122) in order to make sense of the setting from an outsider's perspective, which assisted in creating a distance between my subjective opinions. I also had multiple conversations with my supervisor to assist in giving me perspective and guidance on how to deal with this conflict. I constantly had to use reflexive distance (Argar, 1996) in order try to remain distant from the activities and unethical practices that had been brought to my attention by my participants.

I decided to keep a diary where I was able to right down about my feelings and reflections and captured the complexities of organisational immersion as well as my experiences with local government from a resident's perspective separately. Keeping a separate diary from my field notes was done with a purpose of avoiding to get caught up in the everyday activities of the organisation and community issues that could result in overlooking some of the important matters relating to my research. Here I note that it is a challenge which comes with doing organisational ethnography, including in an environment the researcher



is familiar with. This requires careful negotiation of the field workers role and constantly allowing distance with the field. Although it was not easy, I had to constantly remind myself of my researcher role and stepping out of the subjective taxpayer or former civil society role.

## **1.6 Data Collection**

### *1.6.6 Interviews, Focus Groups, Shadowing and Observation*

This research uses a single municipal organisational case study (Kalahari Municipality) to identify and analyse the broader local government party political dynamics and ANC councillor representation in South Africa. The bulk of my data was gathered through consistent observation (Rhodes et al, 2007; Brewer, 2009) of council, the mayoral executive committee and the meetings of one portfolio committee. A combination of various methods such as constant shadowing (Thedvall, 2013 and Noordegraaf, 2014) of the mayor, focus group interviews and one-on-one interviews (Silverman, 2005), as well as informal discussions with councillors, senior managers and members of the municipal labour union, were also used to describe the different aspects of sense-making practices across different situations (Ybema, 2009).

During the months of October and November 2014, I conducted formal interviews with 19 ANC councillors (over a 4-6 week period). The 16 councillors included the 10 members of the executive committee and 6 ward councillors, the mayor, the speaker and ANC chief whip. The interviews covered topics such as their professional and political backgrounds, their relationship with ANC branch and regional party officials and the administration. I also conducted a once-off focus group interview with 10 ward councillors at the beginning of the research. This was followed by the by other focus group interviews with the 6 ward councillors that were my informants through the research. I also conducted once-off interviews with 4 ANC officials from branches that ANC ward councillors were members of, including the ANC regional secretary who was an ANC political official in the region that the Kalahari Municipality fell under. Interviews with ANC branch officials were conducted with the objective of obtaining a party political perspective on issues that they were expecting councillors to represent in council. All names of my participants have been kept anonymous by using pseudonyms. I

only refer to the mayor as “the mayor” and the speaker as “the speaker” in order for my reader to identify and distinguish both political office-bearers from the rest of the councillors.

From the aspect of the municipal administration, I held once-off interviews with all the 5 senior managers (Directors) reporting directly to the municipal manager, as well as with the municipal manager himself, who constantly interacted and worked with councillors on a daily basis. I was able to obtain the senior managers’ perspectives and their experiences in working with councillors within a political environment. All interviews were held at the council offices and they usually endured for an average of 1-2 hours. The better part of councillors, senior managers, union members and ANC party officials were adequately proficient in English, although *seTswana* was their mother language. Therefore all interviews and discussions were conducted in English.

Interviews and focus groups were mostly supplemented by informal discussions (Agar, 1996:139-140) throughout the research, where specific events and issues relating to the case studies were discussed at length with councillors without following a structured list of questions. These informal discussions took place unsystematically, on isolated occasions such as during lunch and tea breaks when we had committee meetings or even in corridors when I bumped into councillors. On occasion the portfolio committee chairpersons would invite me to their offices for small chats. I also used informal discussions for triangulating my data and obtaining clarity on particular issues. During these discussions, I allowed my informants to take the lead and only probed further when they brought up issues that I considered relevant for my research. Informal discussions also helped to give an opportunity for councillors to voice their feelings and views over issues on the council or mayoral executive committee agenda immediately after the meetings in order for me to capture the organisational dynamics that played out in the council chambers or behind the scenes in caucus while these issues were still fresh in their minds.

Although I was not present in the ANC caucus and ANC regional political meetings that took place after working hours outside the municipal organisation, nevertheless my informants were able to call me later after hours to discuss some of their observations on unfolding discussions and contentious issues that featured in such meetings. These issues

largely had to do with some of the pending executive committee decisions inside in council. The reason here was that I was able to build a good rapport with my informants (Agar, 1996:138). This entire process helped me to link the hierarchical chain of decision-making from the ANC political spaces outside council into the formal spaces of decision-making inside council.

I also conducted two focus group interviews with 7 members of the South African Municipal Workers Union (SAMWU) and 6 ANC wards councillors. The focus group discussion with SAMWU - which is a trade union affiliate of the ANC – was mainly related to the municipal organisational restructuring negotiations presented in Chapter 5, which generated acute tensions between ANC councillors and SAMWU members. The second focus group of 6 ANC ward councillors consisted of 2 female and 4 male councillors, who represented both low-income and deprived areas in township wards as well as middle-income affluent wards.

The focus group approach assisted in triangulation and helped to unearth the tensions between ANC councillors who were members of the mayoral executive committee and non-executive ward councillors. Focus group interviews with non-executive ward councillors revealed how they felt excluded from decision-making by the mayoral executive committee structures. This aspect, which will be discussed in Chapter 4, would have not been uncovered if I had mixed ANC ward councillors with mayoral executive committee members. The majority of my informants talked openly without restrictions, and shared their experiences and frustrations of being a councillor with the intention of making me understand some of the difficulties that came with their job. As Hart et al (2002) observed, the role of the researcher can mutate into providing reassurance, if not a form of therapy for stressed out and frustrated participants. This at times can prove to be overwhelming for the researchers.

Over and above the interviews and focus groups, every month I consistently sat in council, mayoral executive and portfolio-committee meetings. I followed the councillors and the proceedings of these meetings as an observer. I was able to observe how councillors behaved, how they participated in debates and made decisions. I was given copies of council, mayoral executive and portfolio committee agendas prior to the committee meetings, and also provided with minutes of the meetings. I was privy to officially

restricted documents such as the letters that the mayor had written to the municipal manager requesting an investigation into allegations of financial misconduct by officials around the OR Tambo Heritage Project presented in Chapter 5. Other letters included a written letter by the mayor to the speaker and ANC regional party officials that expressed his discontent over the interference by both parties in the matters of the municipal executive committee. Permission to use them as part of my fieldwork was granted by the mayor to demonstrate the power struggle between the mayor and the speaker (presented in Chapter 3). Although the mayor showed me these letters, I was however not allowed to keep them as part of my own records due to the sensitivity of their contents. I also did not discuss the letters with anyone else during the study in order to avoid having a situation where this information would be used for other reasons than the research. To augment all of this, I bought the local newspaper and specifically kept newspaper reports relating to the case studies contained in my empirical chapters.

#### 1.6.7 *Shadowing the Mayor*

The mayor, as the political head of the executive committee, has a political management role and responsibilities delegated by council (see the South African Local Government Municipal Structures Act, 1998), and thus has a broader and unrestricted access and bird's eye-view of the municipal organisation. In order to shed light into the practices of councillors, I had to zoom in on the activities of the mayor through the shadowing the mayor (McDonald, 2005). This helped in producing first-hand detailed information that gave me access to trivial issues and events that might have been difficult to articulate (Koot and Sabelis, 2002). This method is not only used for triangulation per se, but also to achieve a rich view of the research settings. Shadowing the mayor enabled me to gain a critical 'insider' perspective relating to the mayor's functions and powers. In other words, I was able to observe the mundane everyday life of a mayor: what the mayor does in office and how he exercises his decision-making powers, how he forged relations with other councillors, managers and members of the public, of which I would have not been able to observe if I had relied on interviews.

In order to identify the mayor amongst councillors and at the same time protect his identity and anonymity, I do not provide any detailed or specific biographical information about him. I only use gender to identify him as male. I shadowed the mayor from

Mondays to Thursdays during office hours, except when he was out of town on municipal or private business. Fridays were dedicated only to his office political administrative work, where he would spend his time reading through various committee and administration reports in preparation for executive committee as the chairperson of council meetings that took place once a month. The office secretary emailed me his weekly programme and I kept a printed copy in my field work notebook. On a normal day, his daily schedule began at 8:00 am and ended at 2:00 pm. His weekly programme was usually packed with back-to-back morning meetings that lasted for 1 to 2 hours with a few minute-breaks in between before commencing the next meeting. He avoided holding afternoon meetings unless they were absolutely necessary.

He would have meetings with various community members, councillors, interest groups and business people who in most cases were seeking to influence and obtain his support in their endeavours. During the executive committee meetings, I was able to see how the mayor led the agenda, his leadership style, how he chaired meetings and managed debates whilst also trying to influence the thinking of members of the executive committee members towards a certain decision. He had a cheerful and humorous personality. There were also times of acknowledgement of mistakes, defensiveness and display of anger, annoyance, frustration and containment of emotions during meetings. His favourite line was, “we need to apply lateral thinking” which he would often quote to justify his position whilst facilitating heated debates and discussions on issues that required executive decision-making (Field notes, Kalahari Municipality, October 2014 – July 2015). He had a peculiar affinity to the law. Therefore he would refer to his mayoral handbook that contained various pieces of local government legislation before committing to any decisions. Although he was not rigid in terms of sticking to bureaucratic processes, however he was cautious about doing things outside the law or which could get him in trouble with the law.

The mayor also frequently left the office to attend public events and do site inspections. Therefore the shadowing took me beyond the municipal organisation boundaries. It was observed that being a mayor came with special privileges as the ‘first citizen’ of the municipality and a person who signified local authority. The mayor was allocated a driver and a government car that was identified with a personalised number plate. His car and driver were always within sight awaiting his orders. However, the mayor was not assigned

security protection services as one would have expected. He would insist on using his own car only if he was attending private business and on weekends. I was also able to tag along with the mayor in his car to events, community meetings and community outreach programmes outside the municipality. He was also often invited as an important guest speaker to prestigious events such as award ceremonies, public lectures, opening of national and provincial government conferences, ribbon-cutting ceremonies, and to officially open the launch of new projects.

Towards the end of my fieldwork in May-June 2014, there was an escalation of community protests. I would accompany him to the various areas where communities had barricaded roads in protest, demanding him to come and listen to their grievances. During this period, the mayor found himself attending more protests and community meetings than office meetings. He would receive written complaints during the protests, coming back to the office to hold urgent meetings with senior managers and assigning them with tasks and deadlines in order to quickly respond to issues.

Using Pritchard's concept of 'working across places and in between spaces' (2011:15), I was also prompted to consider the ways in which I physically moved between the organisation and the various municipal wards, where observation and informal conversations with councillors took place away from the municipal organisation. By moving in between the physical spaces of the organisation and the wards (Van Hulst, 2008:12), I was able to understand why poor service delivery became a constant pre-occupation within the councillors' representational focus as conveyed during our conversations.<sup>17</sup>

While it is commendable to establish distance and 'strangeness' from those that are being studied in order to see things 'clearly' (Ybema and Kamsteeg, 2009), however the prolonged involvement in the field with the shadow and constant immersion in the spaces of those who are being shadowed, does have its own challenges. There was interplay

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<sup>17</sup>I remember how one of the councillors during an observational ward walkabout remarked, 'if I had a cheque book, I would sign a cheque and pay a service provider to fix all these potholes, sewerage spill overs and water pipe bursts' (Informal discussion with councillor Peterson, 12 October, 2014). This revealed the frustrations relating to the lack of power and control of councillors to resolve service delivery problems in their wards. It also demonstrates how organisational ethnography is essentially fluid and multi-sited (Yanow and van Hulst, 2011), and therefore can take place in different spaces inside and outside of an organisation.

between proximity and distance with applying this method in my case. Here, Nicolini (2009) argues that researchers studying organisational practices should alternate getting close to the field with creating distance through the research process. On the other hand, I found that shadowing facilitates a process of developing closeness that has a high probability of leading to friendship and becoming a confidant between the ethnographer and the person being studied (Hammersley and Atkinson, 2007).

As previously indicated, the mayor would ask me to edit and proof-read some of his letters and correspondence. This also raises the importance of ‘giving back to the field’ (Ybema, 2009:14) for the time my participants gave to me, which facilitates a process of reciprocity between the researcher and the person being researched (ibid). Moeran (2009) suggests that while the researcher tries to avoid emersion to maintain objectivity, nevertheless, becoming a participant in the field by joining in the work activities of organisational members can assist the researcher to become incorporated into the closed and confidential circuits of the organisation. In moments of apprehension and agitation, he would call me in the evenings to discuss and ventilate on some of his experiences and frustrations with ANC regional officials, especially during the period when he had to submit his report to council in the bilateral negotiations with the Chinese government (presented in Chapter 3). Our interaction moved beyond the formal office spaces of observation. We would take a five-minute walk to his favourite restaurant and have lunch together with his members of the mayoral executive. This gave us moments to debrief about significant events, which had happened outside the municipality after hours that impacted directly on his office role.

It is during these moments where trivial information was shared. At his office, we would share coffee from his coffee machine and he would offer me refreshments from his bar fridge. Out of politeness, I would not refuse the gestures. Fine (2009:183) asserts that organisational ethnography requires participating in topics and activities that are part of the organisational culture and norms, which requires extending tolerance towards informants. Social participation is a source of affiliation that also sustains rapport (ibid). It could be argued that this interaction laid a fertile ground the development of friendship between the mayor and me. Beech et al (2009:204) reminds us that we should think about how both ethics and reflexivity play out when friendship develops. The binary question of was how far should I follow the mayor’s influence and how far should I try to influence



the mayor during the ‘development of researcher-researched relationship’ (ibid) is one that I had to keep in mind.

From a positivist perspective, developing a friendship with participants is viewed risky in terms of crossing epistemological boundaries of objectiveness and detachment, due to the way in which friendship manifests attachment and subjectivity for the researcher (Fine, 2009:189). Fine argues that while friendship plays a small role in the literature of participant observation, on the other hand they view this important because it is necessary to understand how ethical dilemmas arise (ibid). This made me think about the ethical dilemma regarding how to use politically sensitive information relating to allegations of corruption in the case of the Chinese Economic Cooperation (chapter 3) and OR Tambo Heritage Project (chapter 4) during my research. At times, I was privy to ‘confidential’ information given to me by the mayor that would have been considered politically sensitive.

In dealing with this, firstly, I acknowledge that the development of friendship and reciprocal engagement was unavoidable as I spent 10 months in the mayor’s office, shadowing the mayor. This became an enabler for greater access to information I would have not been able to get from a distance. Trust, shared values and mutual influence was built through these tacit boundaries of friendship (Beech et al, 2009). Secondly, in terms of ethics, permission to use information that could be regarded as politically sensitive in my research was requested and granted by the mayor. Thirdly, the development of rapport through friendship offered me an understanding of the subjective realities of the mayor in any given situation; while on the other hand, it can be argued that I too became subjectively involved in the interpretation of the knowledge that is being produced. As Johnson et al (2006) argue, if there is no subjective connection, then the desired understanding from the ‘inside’ has not been achieved. For me, understanding the everyday practices of representatives, through the lens of the councillor, was my primary objective. This also enabled me to transform from my former outsider role, while trying to maintain my role as a researcher. This also required me to apply heightened self-awareness - a reflexivity of the ways in which I might be shaping the knowledge claims (ibid) that we as researchers advance with respect our research topics.



However, Skyes and Treleavan (2009) assert that the ‘research-researched relationship’ (Beech et al, 2009:125) can foster collaboration, where members of the research setting, engages with what is of concern to them rather than to the researcher. To emphasise this point, Ybema (2009:78) states that most researchers think that ethnographic knowledge is being generated in research rather than data being collected or even access. In this case, it is highly likely that one ends up treating participants as co-generators of knowledge and interpretation (Down and Hughes, 2009). This brings us to the dilemma of subjectivity and empathy for the person being shadowed (Beech et al, 2009; Fine and Shulman, 2009), not to mention the issues of biasness towards of having a single person’s views, perspective and voice take prominence over the voices of other state actors. This puts the researcher at risk of accepting one version of events as the truth (ibid).

Weeks (2000) encourage us to find a balance between engaging enough to be able to develop informed interpretations about observed practices. I applied the ‘engaging and maintaining distance’ (Beech et al, 2009:203) approach by limiting my interaction with the mayor during working hours and avoiding moving into the private domestic and political space of the mayor was one strategy that enabled me to create distance. It my role as researcher to take prominence and not to be perceived as a mere friend, but at the same time our closeness allowed for the development of trust while being able to reflect on my observations. Because this is not study about the mayor per se, I also had other ward councillors as my informants assisted in getting an alternative perspective into the experiences of non-executive councillors. On other hand, the mayor’s voice was balanced by the voices and experiences of other ANC councillors who were also my informants. I fluctuated between objectivity and subjectivity in the research process without necessary settling for either.

#### 1.6.8 *Limitations of Field Site Access and Negotiating Through Multiple Spaces*

Although I could walk freely in and out of the mayor’s office, however during the first two months of my fieldwork the secretary in the mayor’s office and some of the officials were discomforted by my constant presence in this office. I sensed unease and a little bit of hostility from the reception desk staff when they repeatedly failed to provide me with the mayor’s weekly meeting schedules, despite the fact that he had explicitly instructed the secretary on my first day of arrival to send a copy to my email each time she

submitted it to him. At times, I had to call the mayor's driver or call the mayor himself directly on his mobile phone to ascertain his location if he was out of office, such as when attending ribbon-cutting ceremonies or community meetings.

When I alerted him that I was not being provided with his weekly schedule, he quickly resolved the matter. In order ease the hostilities; on my side I also decided to be proactive and initiated a friendly relationship with the front desk staff by spending my coffee and lunch break at their front desk, all the while having small chats with them. I showed open interest in their family and political lives, as they were also politically active in their ANC branches and in regional politics. Eventually, they became more comfortable with having me around and were able to voluntarily fill me in on some of their experiences in working with councillors.

Although ultimately I was granted unrestricted access to the various political spaces and committee meeting in the organisation where decisions were taken, this brief experience showed me that some officials are able to act as gatekeepers for politicians and make it difficult for outsiders to access them and critical spaces of a designated field site. The single exception was that I was unable to gain access to the ANC party caucus and ANC regional executive meetings where ANC party political decisions were taken. Both these observation field sites were restricted to elected ANC regional officials and councillors due to the high political sensitivity of the issues discussed in the meetings. This also includes restrictions from observing meetings between the mayor and ANC regional party officials, who frequently came to his office for private meetings. I would be often asked by the mayor to excuse myself when the ANC regional party officials came to his office. These circumstances are an important reminder to some of the limitations of observational work in political organisations, where researchers often have to manoeuvre, navigate and constantly re-negotiate their powers, and experience doors being shut in some political spaces as elites draw a veil over what they decide the observer should not see (Rhodes, 2007:211).

However, the mayor was able to recite some of the contentious issues as post-debriefing sessions after the meetings had taken place. Beynon (1988) notes that research in political organisations should be understood within the context of power and political processes. Van de Waal (2009) further states that organisations that are publicly active in economic

and political realms tend to be very vulnerable in respect of their reputation, and therefore gatekeepers will tend to be more aware of the damages that can be done to an organization if the researcher is able to gain access to sensitive information, to publish or misinterpret information that may be viewed as unsavory and politically out of the norm. Therefore as a researcher, I needed to understand that I was entering into a politically charged and contested space, where participants acted as power brokers in determining which spaces should be made available to me as an ‘outsider’.

#### 1.6.9 *Familiarity with the Field Site*

As I had previously mentioned, I was no ‘stranger’ to the municipality since I was a resident of Kalahari Municipality. I was more familiar with the spatial planning, ward demarcation and socio-economic conditions of various communities. This meant that as a South African resident at Kalahari Municipality, seeing the stark socio-economic disparities between former Black township areas and former White suburban areas. This elucidates the parallel worlds that continue to shape the racial and class inequalities of the post-apartheid state. Of which this was not a new discovery to me as a South African. On the hand, the ward walkabouts that I undertook with the 6 ANC ward councillors and the informal conversations and interactions observed between the councillors and community members residing in informal settlements offered first-hand insight into the conditions that socially deprived township wards had come to experience as a result of delayed delivery of housing, sanitation and water’, which have been articulated through community protests in the media. Listening to stories of how informal settlement communities lived without electricity and proper sanitation for more than ten years in some areas made me understand why councillors’ felt the pressure to place service delivery at the centre of their representation. This also made me to critically reflect on issues of power and privilege as a South African, and how privilege can remove us from understanding the struggles of the poor working class within the public discourse of basic services and human rights. As Bate (1997:1148) puts it, ‘the real voyage of discovery begins not with visiting new places but in seeing familiar landscape with new eyes.’ Therefore the fieldworker’s strategy must be ‘making familiar strange rather than the strange familiar’ (Van Maanem, 1995:20 in Ybema et al, 2009), which was the perspective I had adopted in my fieldwork.

#### *1.6.10 Encountering Information on Unethical Conduct and Administrative Deviations*

During my fieldwork, I encountered sensitive issues relating to corruption. My participants were openly and willing to share some of the deviant behaviour they had encountered during their time in office. I had treat this information with great sensitivity during the time of my fieldwork by making sure I did not share it with any other person at Kalahari Municipality during the time I was conducting my fieldwork as I wanted to protect the identity of participants from public scrutiny. Again, I needed to contextualise my role as researcher and not as an investigator or civil society agent with an aim of exposing corruption. Although I opted to make the name of the institution and the participants' names anonymous from the public, however, the method of shadowing proved to be problematic. My attachment to the mayor already placed the person being shadowed within the knowledge of other organisational actors as the person who would be the key informant on matters relating to the municipal organisation. Therefore, protecting the identity of the mayor from other state actors naturally proved to be difficult.

In this case, during my exit interviews I informed my participants that my research method and position that placed me as an observer inside the municipal organisation had already given me very close access to observing and getting first-hand insider information from the actors on sensitive information that might viewed out of the political norm. I then decided to let all participants know that the findings of my research would not be shared with anyone in the municipality before the 2016 local government elections, in order to protect my informants and those who had been allegedly involved in administrative misconduct, in order to avoid having my findings being used for political ends or persecution or prosecution of any state actor. I had to emphasise to my participants that the purpose of my research was not to expose 'bad' conduct of councillors and administrators. As a researcher, it was not my role to investigate or report corruption to the legal authorities, but rather to study how councillors exercise representation in the municipal organisation processes of decision-making by reflecting and interpreting my findings and encounters during my field work. I also avoided asking direct questions to those who had been accused of deviant behavior because I did not want to agitate my participants nor to be viewed confrontational, judgmental and to be perceived as though I was playing investigative journalist role. I concentrated on asking how the municipality been affected by incidences of corruption and maladministration

and how council dealt with past financial misconducts of councillors. In this case, he recited the formal procedures taken by the Municipal Public Accounts Committee (MPAC) but avoided providing any precise examples of previous incidences.

By the time that the research had been written up, I had already established dialogical relationships with my participants in the municipal organizational setting that was studied, in order to be able to discuss a draft publication, to settle factual questions, and corroborate one's understanding of the social processes studied. In other words, I had gone back to the councillors and members of the mayoral executive committee to deliver my findings in order to obtain their views on how I had managed to capture their issues so as to exclude the possibility of misinterpretation or misplaced emphasis. Work-shopping these differences in a meeting with role-players from the ethnographic setting may lead to new insights (Van de Waal, 2009). This meeting took place on the 2<sup>nd</sup> of August 2016, two days before the Local Government elections. The list of ANC councillors' candidates had already been published and it was confirmed that the majority of ANC councillors who had been the main participants in my study were not returning to office should the ANC win the 2016 local government elections. The findings were well received and councillors confirmed that I had managed to interpret and capture their experiences, views, events and the happenings of the organization in an accurate manner. Councillors, without hesitation gave me their consent to publish the findings after the 2016 local government elections.

## **1.7 Thesis Chapter Outline**

This thesis is structured in the following way: Chapter 2 explores the post-apartheid historical trajectory of local government reforms which are located within the national government's agenda of transforming post-apartheid local government. This historical overview foregrounds the dominant debates amongst scholars and researchers that have been engaged in South African politics and local government studies within the developmental state discourse. This chapter shows how local government have engaged with local government's inability deliver on its constitutional mandate that is supported

by evidence of ongoing service delivery protests signifies a ‘dysfunctional’ state that does not show characteristics of a developmental local government state. We also examine the core themes relating to how some of the post-apartheid ANC practices such as deployment, patronage, corruption and the blurred lines between politics and administrative interface have contributed to the what we call the ‘decapitation’ of the state’s bureaucracy.

This chapter points out to the inadequate analysis used by analysts to test the relationship between local governments inability to deliver services and patronage political appointments, which often is used to demonstrate the pathological failures of local government. This chapter implies that further examination of the tensions of representative democracy need to be understood from the complex process of council decision-making which can assist in contributing holistically to the debate of local government politics. By providing an alternative way of studying local government politics and councillor representation, this chapter shows the limitations in the studies produced by public administration scholars which offer very little insight that is needed to demonstrate how the practices of local government state actors, reproduce different outcomes from national government’s aspirations of building a capable developmental local government.

Chapter 3 examines how the internal and external politics of the ANC in the regional party structure shapes the way in which ANC councillors approach their representation focus, particularly in the mayoral executive committee. It provides different issues that were on the council agenda, which generated conflict and tensions between the mayor and ANC councillors serving in the executive committee and their ANC regional party officials. We also reveal how the establishment of the *Troika*, which acts like a ‘shadow’ executive structure operating parallel to the executive committee, threatens the legitimate powers and functions of the executive committee. Through the *Troika*, this chapter shows how the ANC regional party attempts to control all facets of the mayoral executive committee activities, especially decisions that have to do with the economic life of the municipality. The chapter further explores the complex relationship between councillors and senior managers. This relationship which is marked with tensions and conflict reveals why councillors are unable to hold the administration accountable for the non-delivery of services and implementation of council decisions. It examines the ways in which partisan

administrative system (politicization of the bureaucracy) enables the penetration of political norms in the administrative processes, thus leading to political protection and administrative impunity.

Chapter 4 continues to explore the party political dynamics between ANC councillors and ANC regional party structures through a specific case: the OR Tambo Heritage Project at Kalahari Municipality. This chapter will demonstrate how this decision generated conflict and internal opposition between the mayor (supported by ANC ward councillors) and ANC regional party officials. The mayor and ANC ward councillors strongly disapproved of this project as they viewed their primary role as promoters of improving ‘service delivery’ rather than approving the allocation of scarce municipal resources for a monument. This specific case demonstrates how the tensions of representative local democracy emerge when councillors have to negotiate between advocating community service delivery priorities and ANC regional party political interests.

It offers an understanding of the logic and rationale applied by councillors when it comes to local development and distribution of resources. It also demonstrates how projects of this nature have the likelihood of being ‘hi-jacked’ by ANC regional party officials; as projects that involve infrastructure development present the possibility of personal financial gains. In this chapter, we encounter allegations of corruption and misappropriation of municipal funds relating to the OR Tambo Heritage Project committed by senior managers, suspected to be in collaboration with ANC regional party officials. How councillors deal with allegations of corruption reveals of the ways in which bureaucratic impunity manifests in partisan bureaucracy.

Chapter 5 also focuses on a single issue on the agenda. The issue on the agenda of council and the mayoral executive committee was to implement National Treasury reforms through the development of a new organogram and restructuring the municipal bureaucracy, which fits within the ongoing national government agenda of providing technical and professional public servants for local government highlighted the National Development Plan (2012) under the Zuma administration. Firstly, this chapter demonstrates how an administrative process of developing a new organogram transformed into a politically negotiated process. The organogram negotiation process drew the involvement of the municipal union SAMWU, which is a local trade union



affiliated to the ANC. SAMWU resisted to the executive committee proposal of laying off unskilled and redundant municipal workers and replacing them with skilled technical professionals. Instead, SAMWU demanded that contract workers to be absorbed as permanent employees into the new organogram irrespective of their skills.

The ANC regional party officials on the other hand, were interested in securing employment for ANC branch party members in the new organogram by subordinating senior managers to do so without the authority of council, which further complicated this negotiation. The conflicting interests' shows that, while an organogram may be perceived by the executive committee as an administrative tool that can be used to fix the problems of lack of competency and skills in the South African public service. In reality, an organogram is far from being neutral and insulated from party politics. An organogram can symbolise economic opportunities for both the union and ANC regional party structures, and both parties can use their political power in making an organogram a tool through which they can they can distribute and secure state jobs for their members.

In the midst of these conflicting interests, this chapter reveals the ways in which councillors have to manage and navigate between the multi-layered competing interests of different state actors as they clamour for autonomy to exercise their decision-making powers. The chapter will demonstration how an abstract idea of an organogram became a symbol of redistribute of state resources to cushion job losses and secure employment for ANC members through ANC deployment mechanisms. These political dynamics reveals how the deviation of implementing National Treasury's reform agenda of reducing the size of the bureaucracy and building a capable developmental local government occurs. Chapter 6 brings together the empirical chapters into a discussion for the understanding the impact of ANC regional party politics on councillor representation at Kalahari Municipality. It specifically focuses on councillor representation in relation to their prescribed roles and responsibilities; the tensions and overlapping lines of power and authority with various formal and informal political structures and state actors; the ANC party and state conflation from a local government perspective; which all contribute to the contradictions of pursuing a developmental state agenda at local government level. This is followed by the final chapter, Chapter 7 with the concluding remarks of the thesis.



## 2 CHAPTER TWO

### THE TURBULENT PATH TO A POST-APARTHEID DEVELOPMENTAL LOCAL GOVERNMENT IN SOUTH AFRICA: ISSUES AND DEBATES

#### 2.4 Introduction

This chapter offers the background that foregrounds the shifting terrains of development of local government since post-apartheid. It traces the various steps that has been taken by both the Mbeki and Zuma administration in particular, in order to see how local government has undergone transformation in its quest of being developmental orientated, as proclaimed by the ANC government. The background establishes the key distinguishing aspects of South African local government that has been marked by the historical tractions of the ANC's neo-liberal agenda and austerity measure, which saw many municipalities taking up more responsibilities with little fiscal autonomy and ability to raise resources. This post-apartheid historical context helps us to understand how popular protests which embody the characteristics of local government in the present, are interconnected and deeply entangled with the processes of neo-liberalism in retrospect to the pressures of debt-recovery whilst attempting to provide basic services for poor communities.

In this chapter, this thesis also demonstrate how this period of implementing local government reforms has been obscured by persisting institutional capacity deficiencies that are linked to municipalities service delivery inadequacies, whilst on the other hand, the inability of municipalities to play a developmental role in building and maintain infrastructure needed for attracting local economic development investment. This chapter will then look at the declining relationship between the ANC and civil society. This decline has led to the state-society conflict articulated through popular protests. Using popular protest, this chapter demonstrates how most scholars have come to frame the 'service delivery' discourse and lack of state capacity as a precursor to postulate the argument of why local government has become an impossible terrain for poverty reduction in a racially divided society.

This thesis builds on these arguments by revealing how these interventions and reforms failed to take into account the embeddedness of the politics of local government and its

institutional power dynamics. It points out to the limitations of the widely held views that the problems of local government derive from poor service delivery, careless and self-serving councillors. This view does very little to interrogate the reasons why local representatives fail to be responsive to the developmental interests of their communities. This chapter suggests that it is important to zoom into the microcosm of the everyday practices and experiences of ANC councillors behind the council chambers and their relationship with other key state actors. It argues for an alternative way to understand the deeper tensions of representative local democracy and contradictions of local government reforms beyond service delivery and lack of bureaucratic state capacity.

## **2.5 South Africa's Path Towards A Developmental Local Government**

### *2.5.6 Post-apartheid Local Government Reforms*

A brief historical exploration is in order, as local government reforms in South Africa have been characterised with forms of contestations and contradictions leading to the post-apartheid period. Since the late 1980s, the former apartheid government under the guise of reforms made efforts to establish Black Local Authorities and devolve fiscal and administrative responsibility to Black Local Authorities in the late 1980s<sup>18</sup> because the apartheid government could no longer fund local government as a result of the financial debts incurred by the apartheid government (Hart, 2014:98). According to Tsatsire et al (2009:136), Black Local Authorities were beset with difficulties because they lacked political legitimacy amongst the Black township population and had little fiscal powers as they could not generate a local tax base due to the restriction of retail and industrial development in Black areas. This brought about the establishment of civic movements such as the South African National Civics Organisation (SANCO).

SANCO played a significant role in mobilising Black communities for the non-payment of rent and local services as a form of resistance against perpetual racial socio-economic marginalisation of Black local communities. It has been argued that the township protests

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<sup>18</sup> Separate development legislation such as the Black (Urban Areas) Act 21 (Pretoria, Government Printer, 1923) and Group Areas, Act 41 (Pretoria, Government Printer, 1950) classified communities into different racial groups and devised separate structures of local government authorities. The aforementioned pieces of legislation restricted the movement of Black South Africans in urban areas, which also prevented them to own property as they were categorised as temporary migrant labourers. The basic services provided to townships under Black local authorities was substandard and inadequate.

against the payment of rates and taxes contributed immensely to the further collapse of the apartheid local government system, which saw many municipalities bankrupt by the end of apartheid (see Cloete, 1997, Tsatsire, 2009; Reddy, 2008). The ‘culture of non-payment’ for municipal services observed in the post-apartheid period was a continuation of an oppositional stance in Black township areas that was used during the apartheid period (Reddy, 2008).

The negotiations for a new local government system began before and continued after 1994 (Tsatsire, 2009) when the ANC came into power. Lodge (2002) notes how this phase was fixed in favour of former White areas who wanted to remain financially autonomous from former Black Local Authorities. At that time, local government was heavily depending on national government equitable revenue share to address the developmental deficiencies of Black township areas. To deracialise local government, rural areas and Black Local Authorities were merged with former White town areas under the new Local Government Demarcation Act of 1996. With the unequal socio-economic development landscape of the newly established municipalities, they were starved from financial resources yet at the same time were given more devolved socio-economic developmental responsibilities. This brought about the solution of cross-subsidisation of revenue from wealthy suburbs to poorer townships (see Lodge, 2002). The strife between finding a balance between poor and wealthy neighbourhoods was clearly articulated by the Centre of Development and Enterprise at that time, which viewed that the attention towards the redress of Black poor areas ‘should not lead to the deterioration in the administration and services as they impact on wealthier neighbourhoods’ (CDE, 1998:28). This argument demonstrated how the CDE advocated for the protection of white class privileged during a period of fiscal austerity that further strained poorer communities.

The process of negotiations was not only rigged with tensions between former White urban and Black township areas, but we can see how these negotiations were conjunctionally bolstered with local government reforms and denationalisation through the adoption of macro-economic policies that bore the burden of harsh fiscal austerity with the intention of implementing the debt recovery (see Hart, 2014). During this period, the ANC and national government had shifted from the ANC’s Reconstruction and Development Policy (RDP) to a neo-liberal policy known as Growth, Employment and Redistribution (GEAR) under former president Thabo Mbeki. GEAR was developed as a

macro-economic policy to avoid further borrowing from the International Monetary Fund (IMF). This shift ushered a new era in the South Africa's political and local government development trajectory. Major reforms such as fiscal austerity and New Public Management principles such as reducing the size of the local government<sup>19</sup>, adopting performance based management approaches, outsourcing of services, equitable share allocation to local government from the national fiscus and introducing indigent policies for poor communities came with these reforms. In the words of Hart (2014:184):

GEAR was not only about macro-economic policy, but it was also part of much deeper reconfigurations of the state power...it represented a redefinition of the ANC's National Democratic Revolution in terms of the rearticulating of race, class and nationalism, along with the assertions of new technologies of rule.

Although privatization of services at local government level had begun, however it did not gain significant momentum due the resistance from trade unions such as Congress of South African Trade Union (COSATU). Nevertheless outright cost recovery measures of outsourcing new technologies for water and electricity debt collection, along with cut-offs for non-payment of services were implemented substantially (Lodge, 2002). This also brought in a new form of 'corporatisation with privatisation' in the form of experimenting with public-public partnerships used for the provision and management of essential services such as water provision that proved to be rigged with maladministration, fraud and corruption (Hart, 2014:118-121). This was followed with the installation of prepaid water and electricity meters with an allowance of 6 kilolitres of basic free water and electricity as gesture of abiding to the constitutional obligation of providing basic services (Lodge, 2002; De Visser, 2009; Hart, 2014).

Hart (2014:128-131) in her ethnographic case study of Ladysmith and New Castle Municipalities, overlaps quite significantly with chapter 5 presented in this thesis in relation to her conclusions of local government. However, Hart (2014) employs service delivery issues such as water and sanitation to show that while municipalities had initiated debt recovery policies and interventions as part of national government local government

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<sup>19</sup> Wittenberg, (2003:47) notes that one of the key issues highlighted by the post-apartheid government was the slimming down of the bureaucracy that was created under the apartheid government. Nevertheless, National Treasury expenditure blew up in the late 1990s and early 2000s. The amalgamation of municipalities was also viewed as another method of cutting down the expenditure, however, this was further circumvented by the creation of district municipalities. This shows how reforms of cutting on the bureaucracy remained an obstinate challenge for national government.

reforms by installing pre-paid water meters - on the other hand her study revealed how councillors defied these reforms and decisions. Councillors had actually led a rebellion campaign against the installation of water meters and demanding the increase from kilolitres to 18 kilolitres of free basic water for households (ibid).

Gillian Hart's (2014) ethnographic research provides us with an example of how bureaucratic logic are subverted through popular local democracy, which illustrates the tensions of representative local democracy that manifest from local government reforms. On the other hand, these free basic services offered in conjunction with fiscal austerities were considered inadequate for most households with larger families cut off services, which affected many households that required water for the nursing family members affected by HIV/AIDS who were not able to get treatments during the Mbeki HIV/AIDS denialism period (Hart, 2014). These initiatives provoked anger and protests in various poor communities. The adoption of GEAR did not only bring about conflict between unions and the ANC ruling party, but also left councillors in a dilemma of forcing poor communities to pay for services by allowing municipalities to cut off water which strained the relations between councillors and their constituencies (ibid).

Local government reforms targeted at debt-recovery were later accompanied by municipal institutional reforms in the late early 2000s. The National Treasury was given greater scrutiny powers over the spending of municipal finances through the establishment of the Local Government Municipal Finance Management Act (2003) that provides tighter central control and monitoring of performance of municipal bureaucracy. Initially the new financial management legislation introduced a top-down system of controlling local government as an attempt to exercise political discipline over local government. Thabo Mbeki also sought to centralise powers for the appointment of municipal executive mayors in 2006 with the intentions of having direct control over local government elected representatives (Calland, 2013). However, this decision was rejected at the ANC Polokwane Conference in 2007 along with Mbeki's party presidential defeat as it was viewed as centralisation of power. Instead the ANC Polokwane Conference took a resolution to give the ANC regional and branch structures at sub-national level more powers to appoint senior local government managers and the selection of councillors. Irrespective of this decision, as we will see in this thesis, this suggested 'ANC decentralised' system of political governance continues to give power and control over

councillors to ANC regional structures which generates conflict and tensions between the ANC and councillors.

There were also various support programmes introduced to strengthen the performance of municipalities in South Africa. With the help of the Development Bank of Southern Africa, Project Consolidate was introduced from 2004-2005 by the former Department of Provincial and Local Government (DPLG) as a two year project that deployed technical skilled expertise to assist struggling municipalities in addressing infrastructure service delivery backlogs and to put administrative and internal governance systems in place. This was followed by the Five Year Strategic Review (2006-2009) which highlighted consistent support to be given to municipalities in order to improve their performance, capacity building and more monitoring of municipalities by the national and provincial departments of local government and traditional affairs. However, by the time when president Jacob Zuma came into office in 2009, it was further revealed in the 'State of Local Government' report produced by government (COGTA, 2009) that the former interventions had not made significant strides in improving most municipalities because according to the report, majority of municipalities were at a 'brink of collapse'.

The State of Local Government Report (2009) provided a chronological diagnosis of local government problems relating to poor service delivery, poor financial management, irregular procurement processes, inability to produce clean audits<sup>20</sup>, high turnover of senior managers and inability to retain and attract professionals, which were used as indicators that suggested that local government was in 'distress' and 'collapsing'. This period was marked with public exclamations by the newly elected Zuma administration of how the previous Mbeki administration had failed to transform local government. In an attempt to disassociate and distinguish the Zuma administration from the Mbeki administration, the former Department of Provincial and Local Government (DPLG) was replaced with a new Department of Cooperative Governance and Traditional Affairs (COGTA), which gave it more powers to devise direct interventions and control over troubled municipalities (Pieterse and Von Donk, 2013; Hart, 2014).

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<sup>20</sup> In 2009 it was recorded that only 7% of municipalities had obtained clean financial audits while the rest were consistently obtaining disclaimers and qualified audits (Auditor General, 2014).

The newly appointed Minister of COGTA launched public attacks on the former Minister of DPLG - who was known to be a strong supporter of Mbeki - for his technocratic and techno-fixing approach to solving the institutional as well as socio-economic problems of local government (Hart, 2014). In response to the gloomy picture of local government, the Minister of COGTA reduced the size of municipalities by merging some municipalities and launched the 2014 Operation Clean Audit. Operation Clean Audit (2014) was aimed at ensuring the all municipality would obtain clean audits by 2014. Although this was considered rather ambitious due to the fact that only 50% of municipalities had managed to improve their audit outcomes in 2010/11 from 47% in 2009/10 (see Auditor General Report, 2011:4; 2012:21). This was supported by Local Government Turn-around Strategies (LGTAS) where municipalities had to demonstrate how they would get themselves out from their messy situation.

A considerable amount of resources were also channelled by the National Treasury on capacity building programmes specifically for local government. These were mainly targeted at training municipal bureaucrats and councillors for improving the financial viability and management of municipalities using the Municipal Finance Management Act (2003) regulation.<sup>21</sup> Threats for non-performing municipalities and halting of outsourcing of services which could be performed within the municipality was the language of Zuma's first term in office. Instead of invoking confidence, this period led to high levels of uncertainty and insecurity in COGTA, as most senior managers and (including the head of the department) were resigning, applying for positions in other departments and others deployed to provincial government and municipalities.<sup>22</sup>

The agenda of building state capacity cited in the National Development Plan (2012) strongly took centre stage, suggesting that state capacity remained as an obstinate challenge that crippled the development of local government. Chapter 9 of the National Development Plan (2012:382), which is specifically dedicated to 'building a capable developmental, professional and responsive state', prophesized this intervention as a formidable solution towards increasing local government efficiency and effectiveness to

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<sup>21</sup>This included giving support to municipalities with technical support in setting up their financial management systems, budgeting and reporting systems, procurement and adopting General Accounting Principles (GRAP).

<sup>22</sup> In May 2009, the then Director General Lindelwa Msengana-Ndlela resigned; and a later in January 2012, the acting Director General, also resigned with immediate effect and other acting Director General not lasting for more than 12 months, underscoring the instability in the department.



reach its developmental potential. Nevertheless, the plan does not provide much detail as to how this should be done. While the culmination of these reforms may seem to have had very little impact in changing local government, however, Powell (2010:12) argued within this chaotic process of transforming local government within the ANC's four terms in office, local government reforms were not continuous and uninterrupted unfolding episodes. But rather an imperfect transition that was shaped by various socio-economic realities in the country, competing policy objectives, miscalculated and competition for power within the ANC. Powell's argument helps us to understand the complexities of the national policy directive and interventions that sought to assist municipalities in implementing reforms. However it fails to capture the deeper underlying fault lines and internal municipal dynamics that have contributed to the fragmentation and contradictions arising from the enforcement of these national government municipal reforms.

### *2.2.3 Popular Protests, Service Delivery and Developmental State Discourse*

The Auditor General's (2014) report that cited that citizen's link councillors and municipal official's poor performance and corruption to reduction in the quality of services, which leads to communities protesting against elected representatives.<sup>23</sup> In this case, corruption and mismanagement involve the allocation of tenders and contracts to less qualified service providers who have political connections with ANC councillors and municipal administrators (Booyesen, 2011). Most commentators and scholars are beginning to critically link this gloomy state of affairs of local government with the developmental role of local government by drawing our attention to popular protests. According to them, the ongoing protests against poor service delivery signify instability and state-society conflict (see Alexander, 2011; Atkinson, 2007; Booyesen, 2011; von Holdt et al, 2011; Southall, 2007).

For Southall (2013:188), the political relationship the ANC has with civil society. He states that the proliferation of service delivery protests in South Africa, is borne out the ANC's ambiguous relationship with civil society that is entangled within the party's historical relationship anti-apartheid civic movements of which the upsurge of social

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<sup>23</sup> Auditor General report South Africa, 2014, Consolidation General Report on the Audit Outcomes of Local Government: MFMA 2012-13, [http://www.agsa.co.za/Portals/0/MFMA%202012-13/2012\\_13\\_MFMA\\_Consolidation\\_general\\_report.pdf](http://www.agsa.co.za/Portals/0/MFMA%202012-13/2012_13_MFMA_Consolidation_general_report.pdf), (accessed 27 August 2014).



protests symbolises the weakening the bonds between the ANC and its historical community support it enjoyed as an inclusive liberation movement that managed to mobilise all sectors of society (Nieftagodien, 2012)<sup>24</sup>. The ANC's response to civil society (like other liberation movements that came into power) post-1994 has increasingly become hostile, engaging in exclusionary politics that tend to alienate civil society and social movements (Dorman, 2006; Bompani, 2014) most instances as either for or against the party. At local government level in particular, social movements that are rooted amongst the poor, which have merged into ANC branch structures and thus becoming immerse into ANC partisan and factional politics (Southall, 2013). This has contributed to the complex and blurred nature of social movements and civil society at local government level. Hence we find that social movements have become cites for ANC party political conflicts arising from within the ANC branch structures that underpin the framing of other community protest agenda (Dawson, 2014).

Alexander (2010), Booysen (2011), von Holdt et al (2011) and Atkinson, (2007) believe that these protests are legitimate expressions of dissatisfaction with basic service delivery and government maladministration, poor responsiveness, conspicuous consumption and self-enrichment of municipal officials and councillors or with the lack voice of ordinary residents. Atkinson (2007:69) expresses her view that the violent confrontations expressed in the rise in violent service delivery protests found in most municipalities, questions the durability of local government's responsiveness, effectiveness and accountability system that has become a symbolic characteristic that defines the post-apartheid local government developmental state trajectory in South Africa. Following Atkinson's argument, other scholars have boldly also argued that civic public protests which symbolise an unresponsive state resembles a state that is in a 'crisis' and 'failing' in its developmental role (see Atkinson, 2007; Alexander, 2010; Booysen, 2011; Pernegger, 2014; Beall et al, 2005; Handmaker and Berkhout, 2010; Mottair and Bond, 2012).

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<sup>24</sup> The ANC's claim to governance as the ruling party is legitimated by its hegemonic proclamation (see Southall, 2009; Suttner, 2006; Butler, 2010) of representing issues that are salient to socially deprived communities, giving the idea that community issues and the ANC party political agenda are largely intertwined. This comes from the historical anti-apartheid local civic movement structures, which were absorbed into ANC branch structures (see Southall, 2013) post the liberation, thus reconciling the ANC's complex relationship with historical popular anti-apartheid local movements and structures within the post-apartheid representative political structures. The ANC has managed to do so by using it hegemonic control on local politics and liberation discourse to mobilise community structures (see Piper and Deacon, 2008' Piper and Anciano, 2015). Therefore the ANC sees itself as the legitimate champion of poor community interests, in which socio-economic issues can be articulated and represented through the party (ibid).

The above conclusions resonate with the deterministic strand of conclusions. Cooper-Knock (2016) points to the broader consensus that destabilising ‘new contours’ are forming on the South Africa’s political landscape. This can be seen in the extent to which the term crisis has come to predominant recent academic and popular discussions of South Africa, illuminating a crisis in the ANC, in government and society (ibid). However, applying the concepts of ‘crisis’ and ‘dysfunctional’ local government to analyse the post-apartheid state under the presidency of Jacob Zuma does not help much because these concepts often loosely defined and rely on self-evidence that is generalised. Moving away from the generalized definition of local government, Robinson et al (2016) provide a subtle yet cautionary definition of the current status of local government. They assert that public protests accentuate the ‘fragility’ of a local government system. In their view, fragility of local government in South Africa is understood through the strides taken by the post-apartheid state in establishing a constitution and legislative framework that governs the bureaucracy and delivery of services. On the other hand, municipal institutional problems such as mismanagement of funds, corruption, poor audit outcomes, insufficient community engagement and political-administrative interface problems illuminates the understanding of South Africa state that is increasingly becoming fragile (ibid).

Pieterse and van Donk (2013) draws out attention to the decentralized framework of South Africa, which has introduced additional problems to local government. He suggests that there was an assumption made that given that the decentralized system of local government highlighted in the Constitution of South Africa (see chapter 7 on Local Government, 1996), local government would have the autonomy to self-govern and raise its own revenue. This means that the uneven nature of local government, where municipalities outside the category of large urban areas do not have a large economic base, infrastructural capacity and proficiency to attract investments was overlooked (ibid).

The emphasis made here is that delivering services and infrastructure for investment that is required for local economic development is an intertwined process, thus the inadequate attention given to these processes that feed into each has been a slippage that define the problems of technocratic and managerial interventions, which have failed to get local government out of its ‘developmental crisis’ (Pieterse and van Donk, 2013:108). However,

this argument is quite limiting because it does not take into account that the escalating service delivery protests in urban industrialized municipalities. These protests have been specifically recorded in informal settlement areas (see Karamoko, 2011) of urban cities, which arguably could be said they have larger economies and revenue base. The lack of housing, access to clean water and electricity and sanitation were one of the key grievances highlighted in larger municipalities (ibid).

While the phenomenon of protests action have been explained under the service delivery discourse and the intricacies of local governance, however, we need to note that not all protests are as a result of legitimate service delivery issues. Atkinson (2007) draws our attention towards the ‘paradox of formal success and popular grievances’, where there isn’t always a correlation between popular discontent and service delivery (ibid). There is also an intersection of protests with local ANC party politics and spoils system in the battle for access state resources and public goods (Booyesen, 2007; Benit-Gbaffou, 2008; Mattes, 2008; Staniland, 2008). This resonates with what Dawson (2014) termed this as ‘patronage from below’ as she also argues that the sources of community protests and mobilised structures of the protests in South African local government emanate from conflict within the party members who are gate-keepers (Beresford, 2014) and various sources of authorities as they sought access over public goods and resources (Rubin, 2011).

ANC members and local community groups from deprived informal settlements act together with a mutual agenda of advancement of patron–client relations (Dawson, 2014). Moreover, genuine grievances over socio-economic developments tend to be hi-jacked by ANC party factions who stage protest action against rival councillors in order unseat ANC councillors (ibid). This corroborated with Johnston’s argument (2015:57) that some of these protests, amongst other things were caused by a formation of local factions that would have spotted the financial benefits enjoyed by political leaders serving council and would then attempt to use their political muscle within the ANC so that the benefits and spoils would come to their faction. The aforementioned discourse on the service delivery phenomenon shows how commentators and scholars have been preoccupied with linking popular protest action with the dysfunctionality of local government.

On the one hand while the citizen's perspective and attitudes towards local government helps us to understand the conflict between the state and society, it does very little to make us understand how local representatives have experienced local representative democracy in post-apartheid South Africa. The general problem with using the service delivery discourse and state-society conflict to analyse the so-called 'crisis' in local government administration is that it does not provide us with the in-depth insight into the way in which state actors such as councillors in particular, understand their representative role in shaping the development (lack thereof) of local government. Although this thesis does not dwell into the functioning of the bureaucratic administration, however, through political processes that feeds into the administration, this thesis contributes to this debate by demonstrating how the tensions between councillors and administrators derived from observations of practices that continue to erode South Africa's intentions of becoming a developmental state from local representation perspective.

Despite the popular use of the concept of using the service delivery discourse to describe the developmental state of local government, this chapter sought to problematize this framework analysis as it suffers from a definitional flaw given that it is applied broadly for the explanation of bureaucratic capacity, economic policy performance and reforms with regards to the developmental progress of South Africa (Mohale, 2015:5). Moreover, the constant fixation of comparing South Africa to Asian bureaucracies and economies makes it difficult to separate national economic growth from local economic development (see Akoojee, 2010; Atkinson, 2007; Alexander, 2010; Butler, 2010; Edigheji, 2005 and 2010; Fine, 2010 and 2012; Gumede, 2010; Djik and Croucamp, 2007; Southall, 2007; Von Holdt, 2010). Not to mention that is perspective does not disentangle the unique socio-political characteristics and policy shifts of South Africa, which is embedded within a racially unequal society that the local government seeks to address.

Altman (2013:185) reminds us the struggle for employment creation in South Africa, owed to the apartheid regime exclusionary policies, led to many years of slow economic growth and employment stagnation. While economic growth between 1992 -1997 grew, the global economic crisis in 2008 contributed to the dire of unemployment which South Africa is struggling to recover from. Therefore programmes such as the Expanded Public Works Programme (EPWP) were seen as short term quasi-employment creation for poverty relief in response to dire economic situation that South Africa found itself in.

Therefore one should be careful of using economic indicators as primary sources of examining the developmental state trajectory of South Africa.

Nevertheless, the ANC proclamation of developmental state in the making at national level and what actually happens from a sub-national local level in terms of the ANC party and state relations depicts a rather incoherent aspirational outcome of a developmental local government (Pieterse and van Donk, 2013). While the concept of institutional capacity and embedded autonomy which places an emphasis on the state's autonomy and insulation from the manipulation by powerful rent-seeking groups outside the state has been advanced as one of the pointers that undermine developmental statism, on other hand at local government level we see persistent interference and subordination of elected and appointed state actors (municipal bureaucracy) and decision-makers (ANC councillors) by ANC regional party officials with the aim of accessing state resources for private gain rather than the developmental interests of local government.

The subordination of ANC councillors to ANC regional party sectional partisan interests is one of the greatest threats identified in this thesis, which constrains the decision-making autonomy of councillors and senior managers from pursuing their developmental mandate. In other words the notion that there should be a bureaucracy that is insulated from external interference and 'particularistic' private sector interests (Meyns and Mosamba; 2010:24), rent-seeking and abuse of state power (Amdsen, 1989; Beeson, 2004) is fraught within the local government context. While harnessing citizen-state relations is seen as a factor that facilitates a developmentally orientated state, however, in the case of South Africa local government the major challenge further emphasised by other scholars is that organisational skills and capacities required for synergising state-society relations are more complex because instead of paying attention to technocratic capacity, the partisan bureaucratic system of local government (ibid) driven by sectional party political and personal interests tends to dominate the local government landscape (see Edigheji, 2010:15).

#### *2.2.4 Local Government Political and Administrative Capacity*

In the plight of rising popular protests against poor service delivery, the agenda of building state capacity for a problematic local government sphere takes centre stage in the

government National Development Plan (2012), suggesting that state capacity remained is viewed as an obstinate challenge that cripples the developmental role of local government. According to Chapter 13 of the National Development Plan (2012:408-9) specifically dedicated to 'building a capable developmental, professional and responsive state:

The search for a quick fix has diverted attention from more fundamental priorities. A deficit in skills and professionalism affects all elements of the public service. At senior management levels, reporting and recruitment structures have allowed for too much political interference in selecting and managing senior staff. The result has been unnecessary turbulence in senior posts, which has undermined the morale of public servants and citizen's confidence in the state. At junior levels, there has been insufficient focus on providing stimulating career path that ensures the reproduction of skills and foster a sense of professional common purpose. Building state capacity is viewed by the government as the most important step to achieve a developmental state in order increase local government efficiency and effectiveness.

Therefore the developmental importance of state capacity in South Africa is broadly understood as the ability to effectively implement policy, enforce legislation, manage resources and deliver services (Evans, 1995; Barkley and Parikh, 1991). The emphasis on state capacity has been at the forefront of national government's agenda of developing capacity for local government in order for it to become developmental. Deviations from the merit-based recruitment, professional norms and ethics of public officials (Johnson, 1982; Evans, 1995) that have been identified as contributors to the Achilles heels of achieving state development, which is not unique to South Africa (Morrissey, 2001). As we have provided a historical context of the post-apartheid local government reforms at the beginning of this chapter, since the early 2000's South African national government has been engaged in reforms aimed at improving the capacity of local government with an objective of fulfilling its 'developmental constitutional mandate'.

Particular attention have been given to managerial and technocratic intervention programmes by national government with the aim of strengthening performance of local government bureaucracy as an attempt to address weak state capacity through training as mandated by the Skills Development Act (1998). This was done through providing support programmes and incentives for recruiting competent and qualified personnel to enter the local government sector. However, insufficient management, technical and financial management skills of local personnel to perform the task of budgeting and elected officials' lack of understanding of financial management and budgeting processes remains as critical weakness for most municipalities in South Africa and in Africa in general (Wunsch, 2002:279).

The 'COGTA Local Government Back to Basics' (2014) intervention programmes launched before the 2016 local government elections (which is based on the foundations of the NDP) indicates that after 20 years since the establishment of democratic municipalities, state capacity remains an obstinate problem that cripples South Africa's aspirations of potentially seeing local government become 'developmental'. This thesis contributes to this historical trajectory and debates by arguing that the project of transforming local government is more complicated than issuing policy reforms from national government to local government and expecting municipalities to implement them. The implementation of national government reforms do not happen in isolation local political dynamics and processes that shape or influence the conduct of local state actors.

This thesis will attempt to demonstrate through the practices of local government actors (councillors, administrators, municipal union, and ANC regional party officials) that while national government has been implementing policy reforms and programmes to help strengthen the capacity of local government, on the other hand national government has very little control over actions of state actors and the implementation of these reforms at local government level. In other words, the successful implementation of these reforms depends on the responsiveness of local government actors, of which their actions or inactions have unintended consequences that decapitate the agenda of transforming local government into capable developmental local government.

## **2.6 Conclusion**

The issues and debates presented in this chapter provides a background understanding of local government development in South Africa, by historically tracing what Powel (2012) terms as the 'chaotic process' of transforming local government within the ANC's five years terms of office after the liberation struggle. In this chapter, we are able to see how the implementation of local government reforms has been an imperfect transition. Within this process of transformation, the rupturing of an apartheid local government system is also in coherent with building onto an already unfolding process of neo-liberal reforms that began in the late 1980s under the apartheid government. The contestations at local government level arise within this pre- and post-apartheid historical trajectory, which is largely shaped by various socio-economic realities in South Africa, thus reproducing an



already existing conflict between the state and society. The contradictions of local government are situated within the simultaneous processes of local government reforms and denationalisation (Hart, 2014), which have been said to have contributed to the rise in popular protests observed in many municipalities since the late 1990s. This conflict is suggestively located within the ANC's macro-economic policies shifts (from RDP to GEAR) that came with fiscal austerity measures for local government.

In this chapter, we are also able to provide the link between the competition for power and internal division within the ANC - from the Mbeki to the Zuma administration – by showing how these internal political battles play out in the government sphere. This is demonstrated through the controversial process of transforming the former DPLG national ministry responsible for overseeing local government reforms to COGTA. This battle also shows how national government's attempt to for controlling what it sees as an 'unruly' local government sphere (Hart, 2014) is rather an upheaval battles thus turning to the developmental model highlighted in the National Development Plan (2012) for a solutions. The national government's developmental state agenda and service delivery discourse is located within these turbulent ANC politics and the changing role of post-apartheid local government, at the same time faced with constitutional demands for local government to play a socio-economic developmental role with very little resources, constrained bureaucratic capacity and inability to raise its own resources adds to the ambivalent role of local government. Echoing van Dijk and Croucamp's view, the discourse in which South Africa's developmental state agenda is considered 'too contradictory' (2007:637) both with regards to its turbulent historical post-apartheid development as well as the evolving government policy directive.

Within the growing popular debates postulated by academics who argue that local government in South Africa does not resemble characteristics of a developmental state, they places too much emphasis on using 'lack of service delivery' and 'service delivery protests' (Atkinson, 2007; Southall, 2007; Alexander, 2010) and 'lack of technical capacity' (Pieterse and von Donk, 2013) as indicators to measure the failures of local government. While research shows the weaknesses of local government's ability to forge a cohesive partnership with civil society, which is articulated through the proliferation of popular protests which accentuates a local government system deeply marked by conflict between the state and society. These debates fail to show how institutional municipal



processes of decision-making are connected to the politics of local government and the ways in which these processes add to the complexity of making local government development.

Although this thesis agrees with Butler's (2014) assertion that labelling a state 'developmental' does not necessarily make it developmental in its conduct. As we will show in this thesis, careful attention needs to be given to both the unfolding bureaucratic practices as well as the political process of decision-making that is deeply entangled with ANC party politics of local government. The declarative nature of the ANC government of wanting to become a developmental state and the actual practices of the ANC at local government in constructing a developmental state are contradictory if not flawed in reality. It manages draw our attention to the complexity and conflicting objectives of what the state seeks to achieve on paper, which do not neatly dovetail with the actual practices of state actors at local government level. What the state seeks to achieve in the NDP is obscured by the competing multi-layered interests of the different role players. Irrespective of the competency regulations introduced by National Treasury and the NDP (2012), aimed at re-enforcing professionalization and bureaucratic change from middle to lower employees of the state, these policies are constantly reshaped by the local political dynamics in the struggle for gaining access resources and securing state jobs, thus making national government impotent in terms of controlling the implementation of state reforms at local government level. As we will demonstrate in chapter 6, the NDP (2012) objective of building a capable state through professionalization continues to coexist with processes that decapitate the developmental agenda of transforming the bureaucracy.

This thesis calls for further understanding why local government representatives in particular, are unable to represent the development interests of the state and communities in decision-making. We also need to further explore the ways in which political representative exercise political oversight and accountability over the administration in the implementation of community interests for the advancement the development of local government. In order to do so, this requires a more in-depth examination into the processes of political decision-making as opposed to applying a wide and general assessment of socio-economic performance indicators in relation to the analysis of popular service delivery protests of local government. We will now turn to the empirical chapters for examining the partisan nature of local government by exploring councillors

and their relationship with the administration, the municipal union and the ANC regional local party structures which reshape the powers and autonomy of councillor representation in the processes of council and executive decision-making.

### 3 CHAPTER THREE

#### THE EXECUTIVE COMMITTEE, PARTISAN ADMINISTRATION AND THE *TROIKA*

The REC (ANC regional party structure) makes it their business to micro-manage the municipality. Councillors and the municipality are always the main agenda in every REC meeting that we are invited to as councillors. They [ANC regional party structure] always want to give out instructions and tell us what to do, even if it's not within the law. (Local Economic Development Committee Chairperson, Councillor Thabethe, 17 July 2015)

#### 3.2 Introduction

To understand council decision-making, this chapter examines how both internal politics of council as well as ANC external party politics shape councillors' representational focus and roles. As Stoker (1988:91) puts it, internal politics of a municipal organisation reflects not only the ability to make choices in the context of external politics, but also a facility for taking initiatives and independent decisions on the part of councillors. The power structures and conflicting interests of state actors within the municipal organisation can have an influential effect in the way decisions are taken. Firstly, this chapter will explore the complex political interface and power relations between ANC councillors serving in the executive committee and their ANC regional party officials, which generate conflict and tensions.

These tensions can be further exacerbated by external ANC regional party politics and divisions. The bilateral economic investment talks between Kalahari Municipality and the Chinese Guangzhou Province officials facilitated by the mayor's office presented in this chapter, provides an insight into how financial investment projects can set a course of conflict between the municipal executive and ANC regional party officials due to the personal economic benefits such projects potentially offer. This chapter will show how the dominating presence of the ANC regional party structure at local government level, enables the party to exert political authority and power to subordinate the mayor and his executive to implement particularistic interests of ANC regional party officials. These private interests of ANC regional party officials are reinforced by members who simultaneously serve as councillors and hold political positions in the ANC regional party structures.

The second section will explore the establishment of an informal ‘shadow like’ executive decision-making structure known as the *Troika* operating parallel to the executive committee. The *Troika* is an informal decision-making structure composed of the mayor, speaker and chief whip, which acts as decision-making structure parallel to the executive committee. The establishment of the *Troika* as per the demand of the ANC regional party structure demonstrates how the party attempts to further entrench its power and authority inside the municipal executive. The mayor’s refusal to participate in the decision-making processes of the *Troika* generated political conflict and tensions between him and the ANC regional party officials. The mayor and his executive committee questioned the ‘legitimacy’ of the *Troika* and viewed it as an extension of the ANC regional party structure, that seeks to cease their delegated legislative decision-making powers and autonomy as elected and appointed representatives. The ANC party and municipal executive interface conflict is not limited to political decision-making structures between the *Troika* and the executive committee, but also between political office bearers such as the speaker and the mayor as a result of lack of separation of powers between the executive and council committee system. The ANC regional party’s considerable attempt to control executive decision-making is also extended the bureaucratic administration, specifically senior managers affiliated to the ANC.

The third section digs deeper into the political-administrative relationship between ANC councillors and senior managers marked by glaring tensions between councillors and senior managers as result of the penetration of councillors into the administration with regards to their day-to-day roles and functions (see Cameron, 2010; De Visser, 2010; Mafunisa, 2001; Mapunye, 2009; Thornhill, 2008). Whilst councillors understand the demarcation of roles and responsibilities politicians and administrators, however, due to the unresponsiveness of administrators and councillors lack of legislative recourse that gives councillors intervention powers to deal with the administration, councillors view it as part of their political oversight duty to ‘intervene’ by directly meddling in administrative processes in order to get things done.

Moreover, this chapter also provides insight into how senior managers use their administrative autonomy and political partisanship to avoid political accountability. In the event where the administrative sphere is protected from political interference by legislation, senior managers that are closely connected to ANC regional party officials use

their partisan relations to reinforce patronage by irregularly distributing state resources on behalf of ANC regional party officials to ANC clients in return for securing their positions and protection from facing disciplinary processes for committing administration deviations, thus reinforcing a culture of administrative impunity.

### **3.3 ANC Regional Party Interference in Executive Committee Decision-Making**

#### *3.3.3 Gatekeeping and Patronage: The Chinese Economic Investment Deal*

Deployed by the ANC provincial party structure, the mayor had been in office for less than a year by the time I entered into the field in September 2014. His appointment came in the middle of the ANC ruling party's term in office during December 2013, after the recall of the former mayor and re-shuffling of the executive committee by the ANC provincial party structure (PEC). The removal of the former mayor was followed by revoking the powers of the ANC regional party structure by the ANC provincial party officials, due to uncontrollable factional battles that also involved councillors. Therefore the mayor and his executive committee were politically appointed by the ANC provincial party structure, which meant that the ANC regional party could not give political mandates to the mayor and his executive without the authority of the ANC provincial party. Political mandates given to the mayor by the ANC provincial party structure when the mayor assumed office included amongst other things the implementation of what the mayor termed as a turn-around strategy, by introducing political and administrative reforms to improve the municipality's capability to deliver basic services; to ensure that council political decision-making structures such as the executive and council portfolio committees were functioning effectively; to improve the financial audit outcomes from a qualified to a clean audit; and to roll-out the infrastructure development projects to attract more economic investments in the municipality (Informal discussion with the mayor, 22 October 2014).

Shadowing the mayor, I was able to observe his day-to-day office activities throughout my field work. Particularly on the 9<sup>th</sup> of May 2015, I sat as an observer during the government-to-government bilateral meeting between the mayor, the municipal manager and four government officials and business delegation from Guangzhou Province in China. They had specifically come to the municipality to explore and re-ignite previous

preliminary negotiations that were initiated with the former mayor on a potential of joint inter-governmental economic investment venture. After the talks, the mayor took the Chinese officials for a short tour around the town and various places of significant tourism and heritage. He also showed them areas that further required infrastructural development.

The mayor pointed out that one of the potential infrastructural development opportunities was in the tourism, mining industry and education sector. Since the municipality had a newly built college that would train South African's for the Square Kilometre Area (SKA) in Northern Cape as a partnership project between the Australia and South African governments. Therefore there was an increased demand for provision of student accommodation and amenities in the municipality. One of the Chinese business officials, who were in the property development industry, displayed a particular interest in the development of hotels and student accommodation, while the other Chinese government officials was mostly interested in the mining sector and insisted on immediately signing an economic investment agreement between Kalahari Municipality and Guangzhou Province. The mayor was sceptical of signing an agreement without first having consulted his executive committee members. Therefore he decided to agree on signing a twinning agreement which symbolised a non-binding agreement of intent, to allow for further consultation with the rest of executive committee members and to allow for amendments should there be more proposals coming from the municipality concerning the economic development investment opportunity.

The twinning agreement between the Kalahari Municipality and Guangzhou Province highlighted the Chinese foreign direct invest into the mining sector, an establishment of cultural exchange and technology training programme for the newly SKA established training college with the possibility of exploring the establishment of platinum processing plant which would export platinum directly to China. An ANC member of the provincial legislature who was doing constituency work in the municipality that week was invited by the mayor to participate and witness the signing of the twinning agreement. The mayor suggested that the provincial member of the legislature should participate in order to give the discussion more political clout and transparency. The local newspapers were also invited to witness the signing and a public statement was delivered through a press

briefing. I was invited by the mayor to join him for dinner that he was hosting for the Chinese officials to symbolically celebrate the agreement.

One month later, subsequent to this event, the mayor was equally invited by the Chinese government officials on a fully paid trip to Guangzhou Province in China during the month of June 2015. This trip was organised on the basis that it would give an opportunity for the mayor to visit the province for a first hand observation of the Chinese industrial development. The Chinese had initially proposed for the development of a platinum processing at Kalahari Municipality, which would then export processed platinum directly to Guangzhou in China. The mayor informed his executive committee members that the trip would be paid for by the Chinese Guangzhou provincial government and no expenses would be incurred by the municipality. He indicated during our short daily briefing before he left for China that he deliberately emphasised that the Chinese provincial government would pay for the trip with the intention of avoiding the repetition of the previous incident with the former mayor who was accused by councillors from the opposition parties of using Kalahari Municipality resources for a personal international trip to China (Informal discussion with the mayor, 20 June 2015).

The mayor came back from his one week trip to China, expressing his excitement of his observation of the Chinese rapid industrialisation. He recited the excellent hospitality he had received during his visit and recited how this exposed him towards the understanding how Chinese government officials conduct state business. He also indicated that other local and provincial government officials and councillors from different municipalities in South Africa participated in this trip. Post the reciprocal visit and engagements with the Chinese provincial government, the mayor prepared a brief report about this trip, which was delivered to the Inter-governmental and International Relations (IIGR) Committee and the executive committee in June 2015. He also informed the IIGR committee and the executive committee of a visit to Kalahari Municipality proposed by the Chinese government officials consisting of a bigger delegation of business investors from China Guangzhou province, who were interested in exploring more investment opportunities at Kalahari Municipality.

This visit was approved by the IIGR committee and executive committee. Kalahari Municipality hosted the two-day meeting with a delegation of 160 business people from

different economic sectors and provincial government from 27-30 July 2015. This culminated into the signing of a bilateral economic cooperation between Kalahari Municipality and Chinese Guangzhou Province, of which the Chinese Guangzhou provincial government and business sector committed R6 billion (£360 million) worth of infrastructure development investment projects mainly in developing the tourism sector and training, the establishment of a platinum processing plant at Kalahari Municipality which would train and employ a larger proportion of unemployed youth and local labour. The project was set to begin in the new year of 2016.

Meanwhile as these developments were unfolding, things took a different turn during the preparation to submit the proposed R6 billion (£360 million) investment report to council for deliberation and approval. According to the mayor, two days before council, the mayor and his executive committee members were called into an ANC regional party meeting at the ANC regional offices to discuss the council agenda. The item on the ANC regional party agenda was specifically about the Chinese investment project, which the mayor had included in the council agenda. In an informal follow-up discussion with the mayor, he said to me that:

I was called into the ANC REC [regional party structure] meeting two days before the council meeting. There was chaos in that meeting. They just called me into that meeting to attack me in front of my executive committee members and senior management team. Their main issue was that I was refusing to allow the speaker to remove the Chinese economic investment proposition from the council agenda, of which as an executive mayor, it is within my executive responsibility to deliver this report to council for adoption. They told me that this deal must not go through to council until I facilitate a meeting with the Chinese officials first...because they want a stake in this deal. I said I'm not going to do that. (Informal discussion with the mayor, 2 August 2015)

In this respect, the mayor disclosed that this instruction was relayed as 'political mandate' by the ANC regional party that he had to abide by. However, he indicated that he refused to do so because he would be implicated in facilitating unethical practices of doing business which can be equated to facilitating 'bribery' for ANC officials. He also stated that the meeting erupted into a quarrel and exchange of unpleasant words between him and the ANC regional chairperson in particular, who accused him of having a 'corrupt' relationship with the Chinese:

When I blatantly refused to set up this meeting and stated my reasons why I was not going to what they were demanding from me, they started making all sorts of accusations about my relationship with the Chinese. They said that I am preventing them from talking to the Chinese because I'm having private dealings with the Chinese. The way I was so angry and humiliated in front of my



colleagues I decided to walk out of that meeting (Informal discussion with the mayor, 2 August 2015).

The mayor expressed his disappointment with the conduct of ANC regional officials; including the allegations made against him that he viewed as way of discrediting his integrity (ibid). After months of consistent observation of the mayor, that period was the first period where I had come to see him in lowest in terms of work morale and enthusiasm. After that incidence, he had mentioned to me in passing that he was considering resigning from office. He also relayed intentions to resign to some of the ANC provincial party officials that had been supporting his deployment into the municipality and the municipal manager whom he had a close working relationship with.

However, he told me that the ANC provincial party treasurer and the municipal manager talked him into taking leave and time to reconsider making an impulsive decision that would be 'detrimental' for the governance of the municipality. During our informal conversations after that particular meeting, he kept on relaying his experiences of 'stress and frustration' and questioned his decision on taking up the job as a mayor which was proving to be less politically rewarding. On the other hand, he kept on reassuring himself that although he was feeling the pressure and frustrations, he would continue serving as a mayor 'for the sake of the ANC' (Informal Discussion, Mayor, 2 August 2015). This demonstrated that irrespective of the disenchantment and frustrations he was experiencing as result of the constant political interference of his political superiors in the ANC regional party. According to the mayor, staying onto the job as a mayor was informed by a show of his allegiance and loyalty to the ANC as his political organisation as whole.

Similar sentiments of loyalty and allegiance towards the ANC were often reiterated by ANC councillors during our informal conversations and some interviews. Some councillors stated that 'serving the ANC party' was one of the reasons why they had decided to become councillors under the political banner of the ANC. Most of them would cite that when the ANC branch and regional party members nominated or 'deployed' them to serve as councillors or as political office bearers, their duty was to obediently respond to the call (Focus group with ANC councillors, 21 November 2014). As Lodge (2003:215) notes that within the ANC, its members do not see it as a mere political party, but remains a liberation movement. It shares a great deal with other liberation parties in the Southern Africa, where liberation movements find legitimacy

through its liberation discourse (Dorman, 2006), which in most cases as we can see, binds it members towards remaining loyal to its post-liberation cause.

The ANC regional party decided not to include the Chinese economic investment meeting report from going to council and therefore the mayor had to abide by that decision. The speaker who signs off the council agenda indeed did not sign for this item to go through to council and postponed the set council meeting. According to the mayor, he had to brief the Chinese government officials why the deal had been put on hold. He insisted that the Chinese government officials also refused to participate in the proposal made by the ANC regional party officials. According to councillor informants, these were the everyday battles that ANC councillors and political office bearers in local government had to grapple with in terms of preventing the manifestation of particularistic interests of ANC regional party officials from penetrating in the economic affairs and decisions concerning the municipality.

The conflict observed between the mayor and ANC regional party officials was not the first incident to occur in the municipality. ANC councillors related another similar incident that ushered between ANC regional party officials and the chairperson of a committee responsible for local economic development. This incident occurred at the end of October 2014 before I entered the field. ANC councillors openly spoke out about in the way in which the powers and autonomy of executive committee members and their committees were continuously undermined by the constant interference of ANC regional party officials in the work of the council committees. One councillor commented:

I will give you an example of how this kind of interference and corruption that is facilitated by the ANC regional leadership takes place in the municipality. Let me say it bluntly and put it to you as 'corruption'. There was an item on the agenda of the LED (Local Economic Development) committee to establish a poultry farm in the municipality last year [October 2014]. That item was discussed by the LED committee. The committee made a recommendation to council for approval because they saw it doable. Because this issue was not discussed first with certain REC [ANC regional party] party officials, the chief whip felt that this item must be put in abeyance because of ... you know what I mean ... personal interests. Things won't be approved in the municipality unless business people grease the hands of politicians before their projects are approved. Councillors fought against this and the investors ended up going to another municipality and established the poultry farm. We lost out on a good project that could have unlocked job opportunities for our municipality. It also means that the committee system simply doesn't exist because our powers are taken by the REC [ANC regional party]. We are undermined as councillors who sit in these committees because they don't consider the recommendation done by the committee council for approval. (Focus Group with Councillors, 5 March 2015)

This assertion draws our attention to the broader issue arising from the way decisions are taken concerning the economic life of the local government (see Atkinson, 2010; Lodge, 2014; Beresford, 2015). Firstly, the above incident provides an insight into that way in which ANC regional party officials attempt to control the economic affairs of the local government. To a large extent, it corroborates the permissible and different ways in which state capture unfolds which the ANC government has prominently been embroiled in during the presidency of Jacob Zuma. The state capture issue drew the attention of many commentators and scholars, which generated a debate about the nature and characteristics of the South African state under the political leadership of Jacob Zuma.<sup>25</sup>

The deliberate use of words such as ‘corruption’ and ‘grease’ (an informal word used to describe bribery) by councillors provides considerable insight in terms of how ANC councillors view and interpret the practice of ANC regional party officials. For ANC councillors, ANC regional party officials use their political authority to act as gatekeepers between the business industry and municipality - by expecting bribes to solicit their private economic gains from potential business investors before approving economic investment activities and projects in the municipality. Unlike the ANC national party executive which was divided, at local government level the ANC regional party sees itself as a political structure that has higher decision-making power and authority over municipal decision-making structures such as the executive and other committees, which subordinates and delegitimises the latter structures authority and autonomy.

The tussle and contestation between the mayor and ANC regional party officials demonstrates the conflict that arises when elected representatives resist against practices that sought to facilitate the capture of local government by ANC regional party officials. It also provides a nuanced perspective that contributes to the confounding of separation of powers of councillors as local government executive decision-makers and the executive authority of ANC regional party officials, which is not well captured by most scholars such as Booyen (2015) and Southall (2013) who have extensively written about the party-state conflation phenomenon under the ANC. This case study challenges the idea of

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<sup>25</sup> The insightful research report titled, ‘*Betrayal of The Promise: How South Africa Is Being Stolen*’ written by Ivor Chipkin et al (2017), encapsulates how the state was captured at national government level by the Gupta brothers. The Gupta brothers sought to act as a shadow executive by establishing a network of former president Jacob Zuma’s political allies and bureaucrats who facilitated contracts for the Gupta family and its beneficiaries.

cooperation of elected representative in the party-state conflation with the objective of subverting the law by demonstrating how councillors criticise the legitimacy and authoritative powers of the ANC regional party over municipal decision-making processes of local government.

This explicitly provides an explanation of why councillors often describe the role of the ANC regional party as ‘micro-managing’ if not ‘interfering’ in matters of the municipal executive instead of providing political oversight over its incumbents (Letswayo, 2014). Of which councillors’ views this is an obstruction of their autonomous executive decision-making powers rather than synchronising party decisions with the state. This particularly shows the ways in which decision-making powers and autonomy can be constrained and controlled by the ANC. Capturing local government distribution of resources through controlling municipal executive decision-making and limiting the powers of councillors becomes the main motivation for ANC regional party officials. The next section will demonstrate how the ANC regional party officials further entrench its powers to reach all facets of municipal decision-making and resource distribution through the establishment of an informal shadow decision-making structure called the *Troika* that acts as an extension of the ANC regional party structure inside the council executive.

### **3.4 The *Troika*: An Informal ‘Shadow’ Executive Committee**

The problem with introducing structures such as the *Troika* is that if certain decisions are taken by an unconstitutional structure such as the *Troika*, that does not feature anywhere in the municipal structures act, then who will be held accountable for these decisions? I [mayor] and my executive committee will be held accountable for all these unlawful decisions taken by the *Troika*. Parallel structures undermine my constitutional powers and functions as the executive mayor. I therefore cannot be part of an unconstitutional structure. (Informal discussion with the mayor, 15 August 2015)

#### **3.4.3 The Executive Committee vs The *Troika***

The executive committee composed by the mayor and the ten chairpersons of various committees is a statutory decision-making structure that has executive powers and functions delegated by council (see Section 56 (1) of Local Government Municipal Structures Act 117 of 1998: 25-26). Within the executive committee structure, the mayor as the head of the executive is entitled to receive reports from all the committee chairs and forward these reports together with the recommendations to council if matters cannot be

dealt with by the mayor and his executive committee. The mayor also has legislative functions and powers of council of drawing up the budget of the municipality, monitoring the performance of the administration, including the finances of the municipality and playing an oversight role to the different portfolio committees.

Essentially, the executive mayor is considered to be the political office bearer with more political management and decision-making powers as the head of the executive committee (De Visser, 2009). However, the former conflict that had emerged between the mayor and ANC regional party officials regarding the Chinese economic investment opportunity deal, demonstrates how the mayor's powers are constrained by the ANC regional party. This led to further tensions and breakdown in their relationship. As indicated in chapter 1, on the backdrop that the ANC provincial party revoked the ANC regional party governance powers over the municipality in February 2015, the mayor had enjoyed relative autonomy of taking municipal decisions without constantly having to be subjected to taking instructions from the ANC regional party officials from February 2015 to June 2015. As a political office bearer deployed directly by the ANC provincial party structure, he strongly felt that his party's political reporting lines and responsibility lay with the ANC provincial party structure rather than the ANC regional party structure. However, according to the mayor, things took a different turn when the ANC regional party governance powers were given back to the ANC regional party officials in June 2015, which further gave the ANC regional party officials leverage to resume their party political management of municipal affairs.

As a result, the ANC regional party were able to flex their powers by subordinating the mayor to participate in the *Troika*, which operates inside but parallel to the council/executive committee. The *Troika* is constituted by the mayor, speaker and chief whip with special attendance of senior managers and it was mandated by the ANC regional party to meet once a month (Informal discussion, Mayor, 17 August 2015). The *Troika* can be described as an informal 'shadow' structure that acts as an executive structure parallel to the executive committee because it does exist as local government structure in the local government legislation. It there does not have stipulated local government legislative powers and functions. Therefore this makes it an informal – formality within the political management system of the executive in local government because it was introduced by the former Minister of Local Government, Sicelo Shiceka introduced the *Troika* in 2009,

following a resolution taken at the Polokwane Conference in 2007 that there needs to be better synergy between the mayor, speaker and chief whip (Informal discussion with ANC provincial party member, 19 May 2015). The ANC justified the establishment of this informal structure with the aim of curbing the rise in conflict observed in many municipalities between the speaker, chief whip and mayor (De Visser, 2009). Therefore there is a political expectation from the ANC national party that ANC led municipalities ought to establish a platform in order to strengthen the relations between the mayor, the speaker and the chief whip. The mayor viewed this as an attempt by the ANC regional party as a way of extending their powers and authority to control his office and the business of the executive committee. The mayor stated that following this conflict, the ANC regional party officials demanded that he should report on the business of his office to the speaker and the *Troika* (ibid). The conflict between the mayor and ANC regional party officials, which was mostly aggravated by the Chinese economic investment opportunity deal, primarily led to the establishment of the *Troika* as a way of neutralising the mayor's executive powers and decision-making autonomy.

The practice of setting up parallel structures within structures is not new within the political practices of political management in the ANC. Historically, the ANC in exile had the NEC as the highest political management structure, which often established multiple structures such as the Revolutionary Council that was set up in 1972, NAT (security structure to implement *Operation Shishita*, which functioned parallel to the NEC (see Ellis, 2012: 168-189). Stephen Ellis (2012) notes that some of the structures were given more powers than the formal decision-making structures, to the extent that ANC members became confused in terms of where the real decision-making power resided. However, some ANC members criticized these informal bodies for 'having too much power, to the extent that they had become a law unto themselves' (Ellis, 2012:189), which accentuates the notion that irrespective of the long standing historical practices of the ANC of setting up multiple decision-making structures within executive structures, the ANC has a history of being heavily criticised by its own members for such practices.

According to the terms of reference received by the mayor from the ANC regional party officials, some of the functions that the *Troika* ought to do was to take decisions on which items should go into the council agenda; take decisions on tender processes; summon the municipal manager and senior managers and give them instructions on which decisions to

execute; take over recruitment function of human resources and; take decisions on awarding tenders (Fieldwork notes, ANC regional party document read to me by the mayor, 17 July 2015). The mayor deemed these functions as in contravention with procedural bureaucratic processes and legislation, thus concluding this structure as illegitimate and deviant in its objective. The mayor also expressed his irritation towards the *Troika* because he felt that the powers and function of the executive committee was being undermined and the lines between the ANC party and municipal executive were being blurred. These are the sentiments that the mayor shared during our informal discussion:

The creation of parallel unofficial structures is a sheer and blatant interference and undermining of the autonomy of my office. This *Troika* structure is not even a structure that is recognised by the local government legislation. They [ANC regional party] want to control and micro-manage the municipality through this illegitimate structure. I have written a formal letter to all municipal officials who participated in this structure, informing them that disciplinary action will be taken against them because they are also undermining the mayor and executive committee's authority. I have been avoiding being confrontational but I am left with no choice but to use legislation to protect the legislative rights of the executive committee. (Informal discussion with the mayor, 17 July 2015)

ANC councillors also shared their reservations about the intensions leading to the formation of the *Troika* which culminated into tensions and contestation between the mayor and the ANC regional party officials. Councillors expressed their disapproval with the ANC regional party officials' constant interference, which they viewed was aided by the speaker and chief whip that both served in the ANC regional party structure. Councillors viewed both the chief whip and speaker as proxy members of the ANC regional party structure and were instructed to ensure they carry out its political mandate through the *Troika* (Informal discussion notes with Members of Executive Committee, 20 August 2015). They also indicated that the relations between members of the executive committee and the ANC regional party had deteriorated, due to infighting that was generated by individual political interests and the struggle to gain access to municipal resources. Another councillor during our informal discussion said that.

This *Troika* is causing chaos but some councillors are afraid to challenging the ANC regional leadership because they are afraid of being purged because they want to come back for another term. Out of the executive committee, I know only four councillors who are able to speak out and defend the executive committee and the mayor from being bullied. I know councillors will not defend themselves in front of the ANC regional leadership but they talk against what the ANC regional leadership behind closed doors. (Informal discussion with Councillor Jacobs, Member of the Executive Committee, 20 August 2015)



Another councillor also echoed a similar view:

They are afraid to openly challenge the leadership because they are fearful for losing their jobs in the upcoming election [not to be nominated for a second term of office]. I am not afraid of losing my job. I speak out when I have to. I'm not afraid of not coming back to office. We told the REC [ANC regional party structure] that since the reception of the Chinese, the mayor has been transparent from the onset on what the Chinese wanted to invest on. The mayor delivered the reports to the IIGR and Executive Committee and took everybody through whole process from the initial stages up to the signing of the twinning agreement. They are just trying creating a smoke screen of what they really want from this deal. We all know that. (Informal discussion with Councillor Thabethe, Member of the Executive Committee, 20 August 2015)

Below is another different view on why the ANC regional party officials were in conflict with some members of the executive committee:

It's politics of the stomach. The REC [ANC regional party structure] arrogantly use their political power to bully us because we are refusing to do their dirty work. They want to squeeze out some of these councillors as a political strategy so they can position other party members who want to be elected in the forthcoming local government elections because they can do their dirty work for them. (Interview with Councillor Komane, Member of the Executive Committee, 20 August 2015).

The above statements indicate that there is a level of contestation for political power and control over the municipal executive with the intention of controlling the distribution of municipal resources for the benefit of ANC regional party officials and their clients. The coexistence of openly displaying disenchantment and self-encroachment of ANC councillors from outwardly challenging the ANC regional party due to fear of being purged and losing their jobs as councillors shows the multiple reactions of councillors towards the interference of the ANC in the municipality. Irrespective of self-encroachment, some councillors are beginning to openly challenge the practices of ANC regional party officials in interfering and micro-managing the affairs of the municipality. This suggests that there is a level of resistance from councillors who want to protect the subversion of the law and their autonomous powers in municipal decision-making.

Though the establishment of the *Troika* might have been informally established by the ANC national party with the intention of strengthening the interface between political office-bearers such as the mayor, the speaker and the chief whip by the ANC national party. Nevertheless, its existence is viewed by ANC councillors not only as a threat to the executive powers, function and autonomy of councillors, but it interpreted by councillors as a structure that serves the narrow personal interests of ANC regional party officials. The resistance against the formation of the *Troika* arises from the questionable 'political



mandate’ of the ANC regional party which is imposed onto the executive committee and the mayor. Instead of neutralising the conflict between the mayor, speaker and the chief whip, the *Troika* introduces another dimension into the power struggles between the ANC regional party, the mayor, speaker and chief whip.

In summary, the views shared by ANC councillors regarding the *Troika* is that it serves as an extension of ANC regional party officials, who sought to formalise their connection with the municipal organisation to ensure that personal interests of recruitment, contracts (tenders) coined as political directives of the ANC regional party are imposed onto the executive committee and the administration as decisions taken by the *Troika*. In contrast to the executive committee, the *Troika* structure is given more political authority and legitimacy by the ANC regional party structure. All the same, the struggle for authority and power does not end with the *Troika* and the executive committee. As we will see in the next section, individual political office-bearers such as the mayor and the speaker are also confronted with organisational power and structural problems of who has the decision-making powers and authority over the executive committee and council portfolio committee structures.

### **3.5 The Mayor and Speaker: Who is in Charge of the Executive and Council Committee System?**

In the past few months, the speaker has been deliberately crossing over into my functions and undermining my legislative powers. He [the speaker] wants members of the executive committee to report to him. They complained that he has been summoning them to account in his office in numerous occasions. I am in charge of the executive committee not him. He is in charge of council not the executive. (Informal discussion with the mayor, 26 January 2015)

#### *3.5.3 The Mayor and Speaker Struggle for Authority*

As we explored some of the power dynamics between the mayor and ANC regional party structure operating outside the council chambers, in this section we will further explore how the roles and responsibilities of the speaker in relation to those of the mayor clash as a result of the ambiguous system of fusing the executive committee system with council portfolio committees. This section further provides a much more detailed insight on why there is a prevalent conflict between the mayor and speaker, which has been particularly observed by De Visser (2009) in his study on the separation of the council and the

executive in local government. The legislative role of a municipal speaker is clearly provided in Section 37 of the Municipal Structures Act (1998). Nonetheless, the system of delegation and separation of powers and functions of the speaker and the mayor have been documented as problematic (see De Visser, 2009).

In an attempt to explore the speaker's role, he was asked in an interview how he interpreted his roles and responsibilities in relation to the mayor, which he confidently cited as follows:

My responsibility is to manage and give support to councillors, ensure that council functions as required by legislation and as outlined in Chapter 7 of the Constitution. I am tasked with the function of ensuring that portfolio committees do sit. My office is also responsible for managing the ward committees and must make sure that they execute the IDP [Integrated Development Plan]. So in principle the mayor is the political head and I am the head of the administration of council. Also if there is a riot (protest) in a community, it is my responsibility to go out to assess and speak to the communities, write a report and then submit it to the mayor as the political head. (Interview with the speaker, 17 July 2015)

Here, the speaker is describing the portfolio committees appointed by council, which are responsible for providing oversight on the functioning of the various mayor and his executive committees. The mayor and his executive committees are in charge of overseeing the administrative departments that execute council and executive decisions of the municipality. The speaker, as the chairperson of council (see Section 37 of the Municipal Structures Act, 1998) understands his roles within the legislative context of council portfolio committees that are established by council in accordance to Section 79 of the Municipal Structures Act (1998) legislation. However, his functions are more complex where committees falling under the mayor's executive committee are blurred with council portfolio committees. Section 60 of Municipal Structures Act (1998) gives the mayor powers to establish executive committees headed/chaired by the members of his executive. In this regard the mayor, who is the head of the executive committee, also bears the legislative mandate to receive reports from his executive committees through the chairpersons of these executive committees (under Section 60).

Although on paper committees of the executive are separate from the committees of council under the speaker, in practice the committees established by the mayor in the executive perform the same functions the council portfolio committees under the speaker (Section 79). In this regard, the dual functions and practice of appointing council portfolio

committee chairpersons (under Section 79) as members of executive committee (under Section 60) creates confusion and conflicting reporting lines with the speaker and the mayor. This blurred council-executive committee system becomes problematic because the executive committee members appointed as chairpersons of committees that assist the mayor with his executive duties also hold dual positions as chairpersons of council portfolio committees that fall under the political management of the speaker. The latter have the responsibility holding the former committees accountable and should report to the speaker. Consequently, it becomes problematic for any portfolio committee chairperson to hold themselves accountable if they also serve as executive committee chairpersons responsible for implementing council decisions under the mayor.

Thus, this blurred council-executive committee system defeats the process of objectively holding the committees operating under the mayor accountable (De Visser, 2009). As it will be further demonstrated, it inevitably leads to a confusion of reporting lines and channels of accountability between the mayor and speaker. Moreover, both committees under the mayor and council portfolio committee under the speaker utilise the same municipal budget and pool of administrative officials to manage the entire municipal organisation and council. The speaker is also dependent on the executive committee when it comes to the formulation and implementation of the council agenda and budget (*ibid*). Hence, under this blurred council-executive committee system, the speaker's office operates within the municipal executive, thereby overlapping and conflating his legislative role with those of executive structure.

The reason for the blurring of lines between the council-executive committee system is that local government, unlike the national and provincial government level (where the legislature is separate from the cabinet and ministerial government departments), the council as the legislative arm of local government operates and shares its administration with the executive committee. To expand on this complexity, if one is to make a comparative juxtaposition of the political spheres between local and national government, the mayor would symbolically represent the 'president' of a municipality, and the members of the executive committee would represent the 'cabinet ministers' of the presidential cabinet. At national level, the president and his cabinet are accountable to national parliament, whilst the cabinet ministers in addition are accountable to the relevant parliamentary portfolio committees responsible for oversight (see Chapter 6 of

the South Africa Constitution, 1996). In the case of Kalahari Municipality, the executive members headed by the mayor are also appointed to serve as chairpersons of council portfolio committees headed by the speaker, which then blurs the lines between the executive and council.

To illustrate the tensions between the mayor and speaker, which arise from the blurred lines between the executive committee and council in discussion, the mayor state the following:

The speaker has been giving instruction to my executive committee members to report directly to his office. That is clear breach of the law. The executive members who are chairing committees under executive are accountable to me and not the speaker. I was also informed that the speaker is constantly giving instructions to both junior officials and executive directors' to execute administrative tasks non-procedurally. For example it was brought to my attention that he gave instructions to the CFO [Chief Financial Officer] to hire a car for him during the weekend when he knows that he shouldn't do so outside municipal working hours, especially because he already has municipal car assigned to his office. I have been observing quietly what is happening and tried to facilitate a civil discussion with the speaker to inform him about his inappropriate actions. But it came to a point where I couldn't keep quite anymore. I had to officially write a letter to the speaker making him aware that he is crossing his legislative boundaries. As political office bearers we need to respect and observe the separation of powers and not superimpose unallocated functions. (Follow-up Interview, Mayor, 27 January 2015)

The mayor provides an example of the blurred nature of the blurred council-executive committee system, which generates ambiguous political management authority and power struggles over the council portfolio committee chairs, who are also members and chairs of committees under the executive. Firstly, although on the one hand the speaker may be viewed as breach of political boundaries and interfering in the affairs of the executive committee by demanding direct executive committee chairs to account to his office. On the other hand, when one carefully examines the local government legislation, it can be argued that the speaker was acting on Section 79 of Municipal Structures Act (1998), because they occupy dual roles as chairpersons of council portfolio committees which fall under the speaker. According to this, it means that the speaker as the chairperson of council has the legislative authority to demand reports from the portfolio committee chairs because they serve as oversight structures of council. In this case, the speaker was acting according to his legislative functions.

Secondly, this feeds into the aforementioned blurred council-executive system in terms of who develops and approves the council agenda. As we have previously seen in the case of

the Kalahari Municipality and Guangzhou provincial government bilateral report, the speaker exercised his legislative authority (under Section 79) when he prevented the mayor from delivering the report to council, while according the executive powers and functions of the mayor, the mayor also has his legislative duty (under Section 60) to report to council on any activities pertaining the business of his office. The reason being is that whilst the executive committee develops the agenda of council that is derived from reports submitted by the various committees operating under the executive. However the speaker signs off the items submitted by the executive and these committees, which constitute the council agenda. The speaker may view it as his function as the chairperson of council to approve the council agenda, because reports submitted to the speaker ought to come from the portfolio committee chairs as oversight reports. Therefore this may be interpreted as the speaker's role to directly obtain report and approve agenda items contained in the reports coming from the executive committee. In this case, he can exercise his authority to reject or approve the council agenda items, which contradicts the legislative requirement obligating the mayor and his executive committee report to council on all decisions taken by the mayor and his executive (see Section 57 (5) Municipal Structures Act, 1998:26).

Thirdly, this draws our attention to how the blurred council-executive system also has an impact on the ethical conduct of the administrators of the municipality, as in the case where the speaker used his political authority over the administration that is under the political management of the mayor, by overriding a council decision for his own personal benefit. This issue was picked up the local labour forum that had been protesting at the municipal buildings, demanding for disciplinary action to be taken against the speaker and the administrative officials responsible for the irregular authorisation of the rental car. In trying to understand the reasons why the speaker was able to use his powers to manipulate state resources with cooperation from the CFO as a senior manager heading the finance department. Allegations and rumours that the speaker had an intimate relationship with the CFO was the main concern raised by the SAMWU chairperson, which contributed to the blurring of professional ethical conduct and personal relations on the part of the CFO. According to the SAMWU chairperson, this relationship was known in the municipal organisation and he had on many occasions raised the question of conflict of interest of both parties, where it was alleged that there were many other issues investigated relating to financial maladministration deviations had been allegedly been done by the CFO for

the benefit of the speaker and his clients (Interview with SAMWU Chairperson, James Nxumalo, 23 August 2015).

Despite the complications arising from the alleged personal relationship between the speaker and CFO that contributes to the exacerbation of the struggle over the political authority of the municipal finance division between the mayor and speaker; in retrospect to this council-executive blurred committee system, it laid fertile ground for the exploitation of tensions between the mayor and speaker when the municipality began to approach the local government election campaign period at the end of 2015. These tensions escalated into open political conflicts in council because they were driven by ANC party political contestations in the succession battle for political office rather than resulting from the aforementioned institutional dynamics between the two political office bearers. According to my informants, the speaker with his lobby group was pushing behind the political scenes for the speaker to become the mayor after the 2016 local government election (Field notes, Kalahari Municipality, August 2015). The mayor also indicated that he was aware of the hear-say rumours regarding the speaker's political ambitions. The mayor had suspected that the fuelled conflict and deliberate actions of usurping his mayoral functions and powers was interwoven with ulterior political motives. When I had a post fieldwork follow up informal discussion with the mayor after the 2016 local government elections, it did turn out that the speaker was appointed as the mayor of Kalahari Municipality in August 2016.

#### *3.5.4 Political and Personality Clashes Between ANC Councillors and the Speaker's Leadership Style*

The speaker earlier highlighted that managing and providing support to all ward councillors was also part of his roles and responsibilities. In other words, the speakers also needs to ensure that all ward councillors carry out their roles and responsibilities as ward representatives by ensuring ward participatory systems such as ward committee meetings sit once a month, service delivery issues are addressed through ward committees and councillors and communities are able to influence council decisions through consistent community and ward meetings (Interview with the speaker, 17 July 2015). On the contrary to these claims made by the speaker, ANC ward councillors had a different view in terms of the actual execution of the speaker's responsibility in this regard. ANC

ward councillors were complaining that the speaker was not giving them the necessary support they needed to effectively resolve ward service delivery problems. This was echoed by majority of ANC ward councillors in a focus group:

The speaker does not convene meetings with us as ward councillors, even if it's at least once a month to talk about the progress made in resolving ward issues that come from the ward committees, branch meetings and community meetings. Our files are not properly checked to see if we are indeed holding meetings and why are not holding meetings. He is always absent from work and his personal conduct is not satisfactory. There are no follow-ups and there is little administrative support we are receiving from his office. (Focus Group, Councillor Modimole, 21 April 2015).

The sentiment shared by the ANC ward councillors correlates with the six ward councillors' ward file reports I had assessed at the speaker's offices. The files indicated that there was no proper file management system, no standard reporting template used by councillors and very little monitoring of the reports. This observation was made through the repetition of the same issues on a month-to-month basis, indicating that most issues were left unresolved (Field notes, Kalahari Municipality, February 2014 – July 2015). During the assessment of ward councillor's files, I also had come to notice that some ward councillors had stopped filing monthly reports. My informants stated that they had stopped filing monthly meeting reports because they were beginning to feel a sense of 'helplessness' because majority of the problems were not being resolved by the municipality and the speaker's office did little to assist councillors (Informal discussion with ANC ward councillors, July 2015). This illustrated that there was little responsiveness and political intervention to deal with this challenge. ANC councillors demonstrated an expectation that the speaker's office should be the epicentre for the ward councillor's support and community participation. Therefore, he was expected by ward councillors to also play an active monitoring role in terms of ensuring that councillors are indeed doing their work as ward representatives in communities and ensure that the necessary steps in resolving unresolved ward issues were taken. The speakers indeed acknowledge that councillors were not adequately performing their duties and his office did not have the necessary administrative capacity to provide support to councillors and to monitor their work (Interview with the Speaker, 17 July 2015).

However, one couldn't ignore the overwhelming resentment shared by most ANC councillors regarding the leadership style of the speaker and personality clashes between the speaker and councillors during a focus group discussion that was held in October 2015.



ANC councillors often made reference to the speaker's fixation with 'power' and being 'political ambitious' and not paying attention to his office work (Focus Group, 24 October 2014). They described him as a 'domineering' and 'aggressive' individual who used 'fear and intimidation' to subordinate ANC councillors into taking decisions as a collective (ibid). They recited how he was also known for being a central figure in the ANC regional party and regional Youth League structure, which politically manoeuvred his way into the echelons of political leadership and local government office (ibid). Councillor Peterson, whom the speaker often had personality clashes and conflict during most council meetings, described him as a 'highly factional' leader who was embroiled in 'factional king-maker' politics in the ANC regional and provincial party structures, of which he viewed this as his major political tactic that helped him building a group of ANC councillor clique in the ranks of the ANC in the region to support his rise into political office and push his personal agendas in council (Focus Group, 24 October, 2014).

I sensed that either the speaker did not have good working relationship with most of the ANC councillors' or there were political and personal clashes between them that emendated from ANC branch and regional structures. During the interview and little interaction I had with the speaker, he came across as an individual who understood through his experience in ANC Youth League structure how the wider realm of ANC regional party politics played a major role in shaping council politics. He often made reference to his political experiences in the ANC Youth League and also placed great emphasis on how he saw the ANC regional party structure as the center of authority in local government:

The REC [ANC regional party structure] as the political leadership is an important structure that gives marching orders for ANC councillors to fulfil the ANC political mandate (Interview with the speaker, 17 July 2015).

He also made reference during the interview on how it was important for the ANC to consolidate its 'hegemony and collective decision-making' of which he viewed as essential in shaping and influencing council decisions towards a favourable outcome for the ANC as a majority party in council. In other words municipal political office and representation should be understood through the prism of the ANC regional party. For the speaker, representation is interwoven within ANC party politics and therefore accentuates the notion of a mandate model of representation (Corina, 1974). Since I was aware of



controversy surrounding the speaker's conduct, I avoided being confrontational about the allegations of misusing his political office powers to personally benefit from municipal resources, which also later emerged in the local newspapers (Field notes, Kalahari Municipality and Kalahari Daily Mail, 21 January 2016).

I avoided doing so because I did not want to across as being judgmental and to be perceived as playing the investigative journalist role since there were already tensions between him and the mayor whom I was shadowing. Rather, I concentrated on asking how the municipality had been affected by incidences of corruption and maladministration and how council dealt with past financial misconducts of councillors. In this case, he recited the formal procedures taken by the Municipal Public Accounts Committee (MPAC) but avoided providing any precise examples of previous incidences that had allegedly involved him.

#### *3.5.5 The Chief Whip and Caucus Party Group*

As we have been able to discuss the power dynamics between the mayor and the speaker within the council-executive committee system, we shall move onto the role of the chief whip and how he also plays a critical role of ensuring that ANC regional and branch structures are able to influence council decision-making through representation of ANC councillors'. The concept of the chief whip in council was established after the consolidation of new local government legislation and municipalities in 1998. However, the chief whip's role is not provided in the Local Government Structures Act (1998) because the chief whip is not a full-time councilor with executive authority. Since local government was dominated by political parties, the adoption of the chief whip was informed by the national and provincial parliamentary model, where the chief whip is the head of caucus of the majority party in council - in this case the ANC. Therefore each municipal council in South Africa has to develop the chief whip's functions accordance to the terms of reference within the legislative framework. In exploring how the speaker's political role complemented the ANC chief whip. The speaker concisely articulated the general understanding of the role of the chief whip in relation to his:

The chief whip is like the police of ANC councillors. Our roles are interlinked. His role is to marshal all ANC councillors while I ensure that all councillors, including from the opposition party abide to the code of conduct. If councillors do not attend council meetings and transgress the rules,

then the chief whip must take action. Also political mandates from the ANC REC [ANC regional party] would be communicated through the chief whip to us. In fact we should submit our reports to the chief whip as ANC deployees. (Interview with the speaker, 17 July 2015)

This affirmed that the chief whip as the enforcer of party discipline and cohesive party decision-making (Copus, 2004). The ANC regional secretary stated that the role of speaker should be the arbitrator between the ANC regional, sub-region and branch party structures and the ANC councillors (Interview with the ANC Regional Secretary, 6 March 2015). The ANC regional secretary also explained that when ANC ward councillors get a council agenda, councillors' are expected to take the agenda to the ANC branch executive structure in their wards. Councillors' ought to take the ANC branch executive through the agenda in order to allow the branch party structures to engage and make inputs on the agenda on matters concerning their wards. The chief whip as the chairperson of the ANC caucus in council also has to communicate with the ANC regional secretary's office in order to inform the all the branch secretaries in the municipality of the ANC caucus meeting. The chief whip as the chairperson of the ANC caucus convenes the ANC caucus and it becomes the bigger local party platform that draws the participation of all ANC councillors, the chairpersons and secretaries of the various ANC branches in the municipality. The views of the ANC branches and councillors on municipal and council issues are articulated in the ANC caucus before councillors go into a council meeting. Decisions made by councillors and ANC branch secretaries and chairpersons in caucus ought to be the final position of the ANC party which councillors are expected to represent and support in council (ibid).

Drawing on Copus's (2004: 94-15) description of caucus, caucus is the council party group that may not form be part of formal council decision-making structure but it is recognised as part of the decision-making process that provides party political influence and position on issues on the council agenda. It is within the ANC caucus party group that the party entrenches its influence through the loyalty of its councillors. Its power stems from the willingness of councillors to subordinate themselves to the demands of the ANC regional party group in order to ensure party cohesive decision-making and discipline is maintained (ibid). However, in reality the ANC caucus at Kalahari Municipality has been dubbed by contestations, conflict and dissent amongst ANC councillors regarding different opinions and positions of councillors and ANC branches. Most of the conflict is

not often visible to the public because caucus meetings take place behind closed doors away from the view of the public.

However, the dissent of ANC councillors observed during council meetings suggests that party cohesion and consensus is not often reached in caucus. Some of these differences spilled over into council meetings where ANC councillors raised opposing and conflicting views in front of other councillors from the opposition parties. My informants unanimously described the ANC caucus as a platform which had degenerated into a 'dysfunctional' state of internal political affairs and had become a political platform for pushing individual political agendas. During a focus group with ANC councillors, I asked about an incident I had observed where the chief whip refused a recommendation from one of the ANC councillors to break for caucus during a disagreement amongst ANC councillors. The ANC councillor who was denied the request by the chief whip echoed the following:

I wanted us to go to caucus to discuss the issue we were arguing about in private so we won't fight in front of the opposition parties as we were doing during the council meeting. But the chief whip shut me down. That showed how dysfunctional our caucus is. We never agreed about anything in caucus before we go to. It's a mess. I no longer like attending caucus because two individuals - the chief whip and speaker dominate us. They shut us down from speaking as councillors. That is why you saw us fighting inside council because we always step out of caucus more divided instead of speaking with one voice. We don't even discuss any service delivery and municipal issues in caucus except fight about ANC regional political issues. There's too much 'politiking'. (Focus Group, Councillor Steenkamp, 26 March 2015)

As one other councillor iterated:

If caucus focused on service delivery, our wards would not be suffering like this. If we gather in caucus to take strategic political decisions, I think as the ANC we would be more focused. For me caucus shouldn't be about politics only because it has the potential of taking strategic decisions that can unlock some of the service delivery challenges experienced by our wards and communities. (Focus group, Councillor Grootboom, 26 March 2015)

Other councillors in the focus group also echoed similar views about the divisions they observed in the ANC caucus. According to ANC councillors', infighting experienced at caucus signified dysfunctionality state of the ANC caucus. This suggests that while the ANC caucus is meant to serve as platform for internal debates, disagreements and consensus building for reaching a single position as a party group, the ANC caucus was more fragmented and fraught with internal divisions amongst ANC councilors and dominated by ANC regional party politics. The substantial concern around councillors'

experiences of being bullied into agreeing and supporting certain decisions by a small clique raises the question around the tactics used to generate cohesion through subordination.

However, the experiences shared by ANC councillors about the way in which the ANC caucus is managed are not exceptional to local government. The internal dissent amongst ANC MPs behind closed doors in the ANC caucus at national parliament has also played out in the public. This internal dissent particularly relates to the impeachment of President Jacob Zuma, where some ANC MPs expressed their disagreements and disenchantment with the involvement of President Jacob Zuma in the state capture saga. As a result of the president's involvement in the state capture saga, the opposition parties in parliament called for the impeachment of the president. While national party officials and the speaker of parliament attempted to subordinate ANC MPs into defending and protecting the President Jacob Zuma, in contrast, ANC national party members and MPs expressed their dissenting views in the media. Acting against the ANC's national party position, some ANC MPs voted for the impeachment of the president instead of voting against the impeachment with the ANC bloc of MPs.

This elucidates that the experiences and frustrations shared by ANC councillors and MPs of being coerced instead of being persuaded into finding consensus in collectively taking party decisions, reflects the way in which the ANC has begun to significantly lose its grip in the way in which it manages its internal party democracy. On the other hand, the defiance against party coercion suggests that ANC councillors are no longer fearful of openly challenging the ANC's methods of subordination. Moreover, while the ANC caucus is viewed by councillors as a platform that has the potential of playing as intervention role at a political level to address issues of lack of service delivery, one cannot discount the important role also played by the administration in ensuring efficient and effective responsiveness of service delivery. This brings us to the next issue of how ANC councillors' representational roles are highly dependent on the responsiveness and efficiency of the administration as the actual deliverers of services.

### **3.6 ANC Partisan Administration: The Complexity of Political-Administrative Interface**

Although we [councillors] get blamed for interfering in the administration, but senior managers are also involved in [ANC] regional politics and factions. They even take instructions from some of the ANC regional officials and implement them here in the municipality. When things go wrong, they run to the ANC REC (regional party) officials to get political protection. They know that ANC politicians will protect them and we can't do anything to hold them accountable. (Interview with Councillor Peterson, 5 June, 2015)

### *3.6.3 Political-Administrative Conflict: Dealing with an Insubordinate and Unaccountable Administration*

It has been common practice to assume that there is a clear demarcation in local government organisations between the administrative and political sphere. Firstly, at the executive committee and council level, which is the political sphere that is charged with the responsibility of taking policy decisions, it is expected that the administration should implement policy decisions (see Pressman and Widlavsky, 1973; Dorey, 2005) taken by the executive committee and council. As we have seen above, council decisions are processed and taken at committee and executive committee level, whilst issues that cannot be resolved by the executive and its committees may require council to resolve them. However, local government administration scholars who study the relationship between politicians and administrators have shown that at local government level, where both senior managers and leading councillors work together in joint elite decision-making structures such as committees and the executive, the separation of roles and functions often overlaps and both actors are interdependent and therefore penetrate each other's spheres (see Svara, 1999; Svara and Mouritzen, 2002).

The penetration of political matters into the administration can occur due to the fact that the committee chairperson oversees the department led by the senior manager and junior officials. The chairperson ensures that the respective department implements council decisions, and that reports and recommendations to council are developed by the administration, which are delivered to the committee, the executive and then escalated to council. Therefore the chairperson would be acting on his or her municipal legislative functions and oversight role by demanding reports from the head of the directorate in the administration. On the other hand, tensions and conflicts often arise due to differences between political and administrative norms and imperatives (Leach, 2010:91). What seems logical from a political perspective for the councillor, on the other hand it may not be logical from an administrative and management perspective of the senior manager.

This is what Leach (2010) terms as a binary relationship between administrative and political norms. Leach (2010:6-10) differentiates political from administrative norms by stating that administrators as appointed professionals to act on administrative norms, which places their values on political impartiality and sticking to providing technical expertise. They place an emphasis on applying bureaucratic rules and law in decision-making processes. Political norms on the other hand concern themselves with indiscriminate political logic into policy decisions in order to secure an outcome that benefits their political deliverables (Svara and Mouritzen, 2002:67).

It has been noted in this research through consistent observations conducted in the executive and its committees that tensions and conflicts may also arise when administrators seek to work autonomously, without the interference of the committee chairperson, while committee chairpersons view it as their prerogative to ensure that administrators are responsive to their political demands. The overlap and tensions depend on the hierarchical relationship between politicians and administrators (Svara and Mouritzen, 2006). Moreover, the political culture of the municipal organisation and the understanding of administrative and political norms by both politicians and senior managers contribute to the differences. In other words, the lack of senior managers' willingness to cooperate and show of reluctance in responding to ad-hoc requests for clarification by councillors on salient administrative issues contributes to this conflict.

The Community Services Committee that was closely observed during the course of the study was experiencing glaring tensions and conflict between the chairperson and the senior manager. This strained relationship affected the effectiveness of the committee, which also hindered in the implementation of some of the decisions taken by council. Councillors sitting in this committee expressed their frustrations towards the senior manager as the head of the department responsible for community services, whom in their view, was constantly unresponsive and refusing to account for certain issues since the year of 2012. I once sat in one of the Community Services Committee meeting on the 12<sup>th</sup> of March 2015 where glaring conflict between the chairperson of committee, the senior manager and councillors serving in that committee had been observed. The chairperson and councillors held strong opposing views from the senior manager on the procedures that were to be followed in addressing some of the long-standing issues on the committee agenda that council demanded answers for.

Sitting as an observer behind councillors, I had full view of all the members of the committee. Before the meeting began, most councillors and senior managers had small chats and laughter before the procession of the meeting. However, I noticed that there was little interaction between the chairperson and the senior manager. When the meeting began, the chairperson and senior manager sat in front facing other committee members. During the procession of the meeting, the chairperson and senior manager seemed to be avoiding eye contact while sitting next to each other. During the meeting, other councillors and managers were following the agenda and paging through the reports that were delivered by other middle managers members responsible for the different departmental functions under the senior manager's administrative department. However, the senior manager during the meeting was slouching towards the left side of his chair and fiddling with his cell phone. His body language and the preoccupation with his cell-phone portrayed a level of disconnection and disinterest with the proceedings of the meeting.

The senior manager began to pay attention when one member raised several questions to the senior manager relating to why his directorate had failed to provide the committee with the following reports: a) an investigation report on funds that went missing at once of the municipal recreation facility managed by his department; b) why there was no report on the enquiry made by the committee with regards to ANC Youth League in the municipality for failing to pay for accommodation at a municipality resort that they used for their conference; c) clarity on discrepancies found in the financial statements of his department. With an assertive tone, the chairperson deflected the questions to the senior manager as the accounting administrative head of community services:

The director is here to answer all these questions because these questions have been raised repeatedly previously in our meetings but they have not been attended to for several months. I have been going up and down to the different officials in the administration, looking for answers. So over to you director, we are waiting for you to tell us where are these reports. (Observation quotation taken during the Community Services Chairperson, councillor Modimole, 12 May 2015)

The senior manager responded in a raised emphatic tone, stating that certain procedures needed to be followed before taking action against officials accused of theft. Therefore he told councillors to wait and let him do his job. However, members of the committee were dissatisfied by his response and asserted that they have been waiting for too long and they need to obtain an investigation report which was required by council. The senior manager



stated that councillors are not adhering to legislative prescripts and therefore are interfering in the administration. He began by quoting paragraphs in different pieces of local government legislation, which outlined certain procedures in relation to his roles and responsibilities. This seemed to have agitated a lot of councillors because most councillors began to raise their hands, demanding the attention of the chairperson while he was speaking. Another councillor who was responding to the senior manager also quoted another paragraph of the legislation.

Below is an illustration of an argumentative dialogue between the senior manager and councillors sitting in the committee, where there was lambasting of the different understanding of their roles and responsibilities:

I know the Act the councillor has quoted; I know it *[emphasising with a pitched voice]*. I know very well that councillors are supposed to lead policy decisions but they want to get involved in administrative issues. Councillors must determine the direction and set the tone and we [administrators] must follow. Secondly MPAC is a Municipal Public Account Committee; it does not deal with any other issues except 'public accounts' such as the financial statements and audit reports. MPAC's responsibility is to exercise oversight on the finances of the municipality and does not have the authority to deal with issues of employee disciplinary. Employee disciplinary issues are not a council committee function but it is an administrative function. Councillors, please we have to follow procedures and therefore we as the administration must deal with employee issues separately and report the outcomes to the relevant structure such as MPAC and not to councillors. Let me state this again, if you demand us to report to you, that is interference in the administration. I told this to one councillor when she wanted me to report the matter to her she would be interfering in administration processes. (Director Community Services, Observation quotation taken during the Community Services Committee Meeting, 12 May 2015)

One of the councillors from the opposition party responded to the director's assertion by saying that:

But we have the right to ask questions on how money is being spent and pose questions relating money unaccounted for. That's our job. We are not interfering in administration. We know what our policies and procedures say when theft has occurred. But we want to know what happened, when it happened and who is responsible. That is not interference. This committee has the right to know so we can account to council. (DA Councillor, Observation during the Committee Services Committee Meeting, 12 May 2015)

Whilst there was a dialogue between the director and other councillors on this issue, the chairperson also interjected loudly to try and mediate the argument. She alluded to the director that he was being insubordinate by raising his voice and talking back while councillors were making their points. She further made another pointing supporting the former DA councillor:



The last time you director said that you don't know these figures and yet it's your responsibility to know what's happening in your directorate...I think it's about time we talk to the MM [municipal manager] about this problem. He must help us to give direction on this matter. The problem is that the director does not respond to some of the items needed in the agenda. If these matters are not reported, then they will forever remain in the agenda as unresolved. Some of the issues have been sitting on the agenda since 2012 and the director is not giving us a report. You are not playing your part director as the head of your directorate. We have lots of problems and you cannot respond to us because you are not hands on. (Community Services Chairperson, councillor Modimole, Observation during the Community Services Committee Meeting, 12 May 2015)

There was also a seamless dialogue between the committee chairperson and the director, who were at loggerheads with each other. Both parties had exchanged some unpleasant words during the dialogue after the chairperson had accused him of failing to do his work. Tensions rose with agitation and expression of irritation in the voice of the chairperson when stressing a point in an attempt to assert her authority. The senior manager was mumbling and interjecting while the chairperson was speaking, of which this behaviour further annoyed the chairperson. At some point there were outbursts of temperament as the chairperson was reacting and responding to the senior manager's refusal to cooperate, which was read by the chairperson as act of defiance against councillors' political authority during the meeting:

Secretariat please note it down that the director said to me that he does not care. We need to get the MM [municipal manager] to sit in this committee in the next meeting so that he can see how the director is undermining us. (Community Services Chairperson, councillor Modimole, Observation note taken during the Community Services Committee Meeting, 12 May 2015)

During the argument, another committee member intervened as an attempt to mediate and cease the unpleasant dialogue:

We do not like it when the director and the chairperson are fighting in front of us. The chairperson and the director are supposed to have a sound relationship in this committee. You [director] and the chairperson are supposed to have your own platform where you talk about these things, where you sit and agree and disagree and work out your differences before you come to the meeting. (Community Services Member, 12 May 2015)

The temperamental agitation on the part of the chairperson is a reflection of the pressure and frustration experienced by the councillors in trying to hold senior managers accountable for committee and council decisions. On the other hand, the director is also venting out his frustrations over councillors practices relating to interfering in his administrative processes. Such tensions and conflicts often arise due to different understandings of political and administrative actions, norms and imperatives (Leach, 2010:91). What seems logical from a political perspective for the councillor, on the other

hand it may not be logical from an administrative and management perspective of the senior manager. This is what Leach (2010) terms as a binary relationship between administrative and political norms. Leach differentiates political from administrative norms by stating that administrators as appointed professionals act on administrative norms, this places their values on political impartiality and sticking to providing technical expertise (2010:6-10). They place an emphasis on applying bureaucratic rules and law in decision-making processes. Political norms on the other hand concern themselves with indiscriminate political logic into policy decisions in order to secure an outcome that benefits their political deliverables (Svara and Mouritzen, 2002:67). However, as we have seen in the above scenario, the definition on political norms falls short in its description when political norms are extended to politicians dabbling into the administration, seeking for answers as an act of exercising accountability (checks and balances) as a result of lack of administrative responsiveness to political demands. As we will see below, this is what councillors' term as 'intervention' in an attempt to describe the deliberate interference of councillors in the administration as they seek answers from administrative officials serving under the Community Services Department.

#### *3.6.4 Political Intervention vs Political Interference*

Curbing political interference in the administration has been done through the provision of legislation that prohibits politicians meddling in administrative affairs (see Local Government Municipal Structures Amendment Act (2010). Nonetheless in practice, this act still does not provide a clear definition of what constitutes political interference and intervention in relation to administrative accountability. The conflict observed between the senior manager and committee members was brought about the ambiguous understanding the different interpretations of 'interference' and 'intervention' in the administration, which is marked by the continuous practices and practical approaches in enacting their oversight day-to-day responsibilities. The administrative formal rules denote the general understanding that councillors as decision-makers make policy and administrators implement policy. According to the senior manager, their understanding of interference is aligned with the dichotomous autonomous administrator defined by Svara and Mouritzen (2002:44). Autonomous administrators expect that councillors to refrain from participating in administrative matters and primarily focus on approving policy proposals framed by the information provided by the administration (ibid). Gruber

(1987:92) also echoes this understanding by stating that the autonomous administrator sees him or herself operating separately from elected politicians. However, he cautions us that absolute administrative autonomy has the likelihood of creating an administrator who is beyond the control and authority of politicians. As suggested by Stein (1991:1), such an administrator often does not see himself subjected to political accountability.

Agreeing with both authors, the conflict seen between the director and councillors does caution about the risk of having an autonomous administrator that is not accountable and insubordinate to political authority. However, the proliferation of an autonomous administrator is far from reality as we have seen in practice within the executive committee system, which draws administrators into a political decision-making structure. This case study suggests that local government political-administrative interface significantly operates within a strong *overlapping role* model described by Svava and Mouritzen (2002), where both politicians and administrators complement each other's roles. Senior managers can become involved in the decision-making process as much as councillors can easily become involved in the implementation and management. Below is another example provided by the municipal manager, which relates to the interception of councillors and administrative roles:

When I came into the municipality there was chaos...the administration ceded the responsibility to the politicians because politicians were taking the decisions that administration were supposed to take on administrative matters. In my opinion, that was wrong. Politicians are supposed to take policy decisions and administrators must take administrative decisions. But because you sat with powerful politicians, politicians would simply ignore the administration. As a result, illegal, irregular and uninformed decisions were taken by politicians and implemented by administrators. That's what I term as passage governance, where decisions were taken in passages and not in the council chambers in committees. A politician would run to the administration and force them to implement it because there was no operationalisation and transparent debate record of that decision in the proper [executive or committee] structure. (Interview with the Municipal Manager, 3 March 2015)

The municipal manager's understanding of politicians and administrators roles falls under the dichotomy model of separation of roles and responsibilities in terms of division of labour in policy-making. In practice this separation of roles this is often blurred, leading to the domination of councillors and subordination of administrators into implementing inappropriate decisions. The latter is what Aberbach and Rockman (1993) describe as the responsive administrator that is subordinate and supportive to politician's demands without question. In this type of responsive administrator relationship, it is assumed that councillors want a politically responsive and compliant administrator. Thus councillor's

position of authority allows for him/her to exercise their political power over the administration. This is viewed as inappropriate intrusive action of councillors in administrative processes from the perspective of senior managers.

Councillors on one hand view their actions in this particular case as appropriate and justifiable because they seek answers from a senior manager whom they view as unresponsive, defiant and resisting accountability. The actions of the senior manager are viewed by councillors as challenging their political authority and powers that impedes in their political oversight role. If these contested spaces for division of labour and relationships are not properly managed, they can degenerate into working relationship marked with tensions and conflict, which affects the effectiveness and functionality of the committee as we have seen. This issue brings our attention to how senior managers manage their relationship with councillors in order forge an amicable good working relationship. Another senior manager indicated in a commentary during an interview:

The difference between local government and the other spheres of government is that in a municipality, you have sixty 'bosses' [referring to the number of councillors] whilst in provincial and national departments you only one 'boss', the Minister or MEC (Cabinet Minister or Member of the Executive Council). These sixty bosses have different levels of understanding of administrative processes. It's like being told you have to serve a class of grade 1 up to grade 12 school children. Therefore you have to come down, adapt your way of doing things to accommodate the different levels of reasoning and understanding and take them through the process. You have to be very patient in this environment. (Interview with the Director of Finance, 7 August 2015)

Some senior managers understand the complex structure and environment of local government compared to other spheres of government. Local government is composed of a heterogeneous group of councillors who come from different social, educational and professional backgrounds, who are practically the political superiors of senior managers. More so, the senior manager acknowledges that lines of accountability are not so linear, which in other spheres of government there a clear line of accountability, which directly links to a single political head of government department. At local government, accountability is more complicated because it includes all councillors serving in council, irrespective of whether councillors are members of the executive or non-executive ordinary ward councillors.

### 3.6.5 *'Intervention' as an Act of Exercising Political Accountability*

Holding the administration by adopting strategies of getting things done by councillors themselves seems to emerge as a noticeable concern amongst councillors. Councillors strongly view their primary role as providers of oversight by demanding accountability from administrators in order to ensure checks and balances. This accentuates a vertical relationship between administrative and political accountability associated with forms of accountability of government administration where the superior politician demands accountability from a subordinate administrator (Schillemans, 2011: 291). Councillors as elected representatives have a duty of ensuring that they are accountable to the electorate on service delivery issues based on the principal-agent approach (Przeworski, Stokes and Manin, 1999). Although administrators are not directly accountable to the public in terms of managerial vertical accountability (Schillemans, 2011), however, administrators are charged with the actual implementation of decisions taken by councillors and are held accountable by the political heads. If administrators are unresponsive, this has a ripple chain effect on councillors who are held to account by council and face consequences for non-delivery of their mandate by the electorate (ibid).

In attempt to understand the oversight role and holding the administration accountable, I had an informal conversation with the Community Services Committee chairperson about the director's concerns about councillors' interference in relation to holding the director accountable. She strongly disagreed with the claims made by the senior manager:

The legislation says that we should not 'interfere' in the administration but we must only 'intervene' when it necessary. But the legislation does not tell us how we should 'intervene' as councillors. I am left with no choice but to 'intervene' in the way that I understand and will get me the answers that I need. I have decided to run things on my own without the director because I will be held accountable if my committee is not making progress in providing answers to the executive and council. I demand reports directly from the line managers. The director accused me of undermining his administrative authority by getting reports from his junior staff members. I told him that he does not inform his staff members of issues which must be reported to the committee and to council. So I have no choice but to get them directly from his subordinates in the administration. (Informal Discussion, Community Services Committee Chairperson, councillor Modimole, 12 May 2015)

Another councillor, councillor Nobengula who is also chairperson of the Utility Services Committee shared similar views during an interview:

The MSA [Municipal Systems Act] says that councillors must not 'interfere' in the administration. But this law does not give us powers to 'intervene' when managers are not doing their job. If they are not doing their job, our jobs are on the line because communities want answers. So what are we supposed to do as councillors? That's why sometimes we end up putting pressure on the

administration to get answers. (Interview, Utility Services Committee Chairperson, councillor Nobengula, 19 June 2015)

Here we are seeing a demonstration of the short coming in the legislative regulation, which prevents councillors from interfering but does not give adequate provision for councillors on how to intervene. As a result of the clear definition of terminology, this leads to different interpretations and constructs of 'interventions' through action that might viewed as 'interference' of councillors in the administration. As we have seen with councillor Modimole, she acknowledges her action of by-passing bureaucratic process of getting reports from the senior manager by liaising directly with junior staff officials. In instances where senior managers are not responsive, councillors are left with no choice but to seek alternative ways in order get reports needed by the committee. For councillors, this is justified as Councillors term this as intervention. This confirms that there is indeed an ambiguity in the legislation on paper and the actual interpretation and practices concerning political-administrative relations.

The constructed practical strategies of intervention are not only limited to committee chairs, but ordinary ward councillors too have indicated that they usually communicate directly with senior managers and junior staff officials on service delivery problems in their wards. In the event when problems relating to infrastructure emerge from their wards, councillors directly report these issues to the senior manager and junior officials in the relevant department without necessarily following bureaucratic channels of communicating via the committee chairperson (Focus group, 21 June 2015). Councillors also indicated that service delivery grievances reported by community members to the councillor and relayed to the administration, were often ignored by the administration. Councillor Steenkamp and Grootboom indicated they would resort to paying a bus fares for community members to the municipality. They would scorted the community members to the relevant department to stage a sit-in until the senior manager and officials agree to meet with the community members and explain why their outstanding issues were not being resolved (Focus group, 21 June 2015). This shows that while councillors may feel a sense of powerlessness, they alternatively develop different strategies in order to exercise their representational role and demand accountability from the administration on unresolved service delivery issues.

### *3.6.6 ANC Regional Party Political Interference in the Administration*

This research also shows that there is a strong partisan relationship between senior managers and ANC regional party officials. This came out clearly when I further probed the Community Services Chairperson, councillor Modimole why there had been no formal enquiry and action taken against the director in order to restore their relationship and get the committee functional.

I have repeatedly reported this to the MM [municipal manager], the mayor and the speaker. I went as far as going to the REC leadership [referring to the ANC regional party officials]. Yet the leadership [ANC regional party officials] is not doing anything to support us as ANC councillors in solving the problem. People say that the director is being protected by some of the politicians in the REC [ANC regional party structure]. I also heard from people that the director is making promises of employing people in the municipality. That's why I have ANC comrades from branches coming to me and telling me to go easy on the director. But they don't understand that my committee is suffering. (Interview with Community Services Chairperson, Councillor Modimole, 12 May 2015)

The concern raised by the councillor of not having action taken by her ANC regional party superiors region outside the political management boundaries of the municipal council, demonstrated the interplay between politics and administration within a partisan bureaucratic system. The mayor and speaker also indicated that numerous private informal talks were held between the senior manager and municipal manager to caution and advise the senior manager of his inappropriate behaviour without resorting to taking disciplinary action (Informal Discussion with the Mayor, 27 June 2015).

These cautionary talks were initiated privately because according to the mayor, the senior manager was viewed as a mere public servant but he was a well-known political activist in the ANC regional and branch structures at Kalahari Municipality. He was therefore considered a deployed member of the ANC regional party (ibid). This indicates that the relations between the mayor, speaker, municipal manager and senior manager were at the level of political peers rather than the hierarchical superior politician and subordinate administrator. Under the Weberian bureaucratic model, the chairperson would have only had to report to the mayor as the political head of the executive. This illuminates the partisan relationship between senior managers and ANC politicians, characterised by strong political empathy towards the senior manager by the mayor and municipal manager. Political appointments of public service bureaucrats by the ANC party have fostered the manifestation of political norms when dealing with the bureaucratic transgressions (see Cameron, 2010; Dasandi, 2014; Maserumula, 2015; Ohasami, 2015).



This means that the action taken by the committee chairperson of reporting the matter to the ANC regional officials indicates that it is a norm and an acceptable practice by state actors for municipal organisational problems concerning the bureaucracy to be resolved at ANC regional party structure level outside the municipality. This resonates with Olowu and Sako's (2002) observation of politicised bureaucracies in Africa, which are similar to the ANC deployment practices. In a politicised bureaucratic system, there is an expectation that ANC party members and affiliates that are politically appointed as public servants in the administrative arm of the municipal organisation, they ought to simultaneously serve and be accountable to the ANC party structures. This further gives the ANC regional party structure legitimate authority to interpose decisions on politically appointed senior managers.

This is connected to the councillor's experience of having ANC 'comrades' pleading for her to 'go easy' on the senior manager based on the employment promises made by the senior manager to ANC branch members. Also the alleged protection from ANC regional party officials indicates that this relationship is reinforced by patronage relations between the senior manager and ANC regional party members. Another councillor further elaborated on this matter:

That's why in some situations during our committee meetings you will see that if I am questioning and seeking accountability about a thorny issue, then another councillor will argue in defence of the manager because they are trying to protect their collusive [referring to both the councillor and senior manager] interests. So to a degree some officials enjoy political protection from councillors and the REC [ANC regional party structure] and there are little consequences for officials when they commit transgressions. They get away with murder. And this becomes a serious problem because we are supposed to push for accountability so that we can deliver on the demands made by our communities and people. (Focus Group, Councillor Peterson, 5 March 2015)

Another councillor also added the following during the focus group discussion:

In terms of accountability, we have been saying for a long time that there is an element of bad behaviour in our labour and broader administration. It comes with the history of our organisation [municipality] itself. In the past, there used to be a lot of interferences of councillors and ANC politicians. Some of the officials come from that history. And what they [senior managers] have done is that when there is political interference from politicians, they would also manipulate the process to benefit and push their self-interest. That environment was conducive and convenient for them because no one will be held accountable. So now that times have changed, they are struggling to get rid of that behaviour under the new leadership [executive and council members]. (Focus Group, Councillor Grootboom, 5 March 2015)



Irrespective of the senior manager's partisanship, the patron-client network is also characterised by reciprocal *quid-pro quo* relations between politically appointed bureaucrats, councillors, ANC branch and regional party members. It signals the complexity of the collusion between ANC regional party officials and politically appointed senior managers and this partisan relationship allows for senior managers to use their administrative autonomy and power to distribute state jobs and prospects of employment security for ANC members and affiliates. This is done in exchange for unwavering political protection from ANC regional/branch party members (including some councillors) from facing bureaucratic sanctions. Although the senior manager relatively enjoyed political protection from sympathetic councillors, the mayor, municipal manager and ANC regional and branch party members, nevertheless he was ultimately suspended from work when councillors from the DA opposition party, who were also members of his Community Services Committee, passed motion of no confidence against the Community Services Committee after the incident which took place on the meeting of the 12<sup>th</sup> of May 2015. This in return forced the mayor and municipal manager to apply formal labour disciplinary processes and recommendation to council to place the senior manager under suspension pending the investigations for his actions.

Commentators who have advocated for the enforcement of separation of the administration from politics (Mapunye, 2008, Mafunisa, 2003), including the de-establishment of politicised bureaucratic administration (see Cameron, 2010) have not been able to show these complexities. The separation of the administration and political sphere in terms of when is it acceptable for one to enter the other sphere becomes more complex in a partisan bureaucratic system, which is complicated by insubordination of autonomous administrators that has the likelihood of reinforcing lack of accountability. Autonomous administrative and partisan norms are not mutually exclusive but reinforce each other in many ways. The application of non-partisanship and impartiality values, which is associated with a non-politicised administration, becomes problematic in bureaucratic system that is embedded in partisan political management practices between the state and the ANC party. Patron-client networks are reinforced by political relations between the administration and ANC regional party structures without necessarily having the councillors as mediators between the party and the state.

### **3.7 Conclusion**

This chapter has offered a detailed yet insightful exploration into the complex relationship between councillors, ANC regional party officials and senior managers. Through the observation of decision-making episodes, events and experiences of councillors, this chapter has presented the dynamics of councillor representation locating it the partisan processes of ANC party and council/executive decision-making. To understand the practices of councillors' representational roles, this chapter has examined the distribution of power that is dispersed amongst multiple political decision-making structures and actors such as councillors, senior managers and ANC regional party officials, who play a key influential role in council decision-making.

Firstly, from an municipal executive decision-making perspective, we have seen that while the executive committee is separate from the council (legislature), in practice the practice of blurring the council-executive committee system creates a conflicting overlap in lines of authority between the mayor as the head of the executive committee its committees; and the speaker as head of council and portfolio committees. As a result, this blurred system has a likelihood of weakening the council portfolio committees from holding the executive and its committees accountable. The blurring of these political management powers and authority between the mayor and the speaker can also in turn be used as an advantage to further advance political interests and exploit political differences as we have seen with the case of the speaker.

Secondly, the ANC's imposed informal 'shadow' executive structure such as the *Troika* that operates parallel to the executive committee, further complicates an already problematic relationship between the mayor, speaker and chief whip. This demonstrates the historical tendencies of the ANC of setting up multiple parallel decision-making structures and how this practice has been adopted into the running of the state, thus conflating ANC party political management practices within state structures at local government level. However, such practices are met with significant resistance and strong disapproval from its own incumbent such as the mayor and some committee member who view this as an erosion of their state powers and authority. The *Troika* does not only threaten the autonomy and decision-making powers of the executive committee but ANC councillors view it as an 'illegitimate' shadow structure that serves as an extension of ANC regional party officials with the intention of carrying out particularistic interests of

regional party officials that masked as ANC political mandates. The *Troika* offers a possibility of giving ANC regional party officials powers to entrench their control in facets of the municipal organisation by manipulating municipal resources through the subversion of legal procedures for the benefit certain party officials.

Thirdly, this chapter has managed to examine the dynamics of the ANC party caucus in order to understand the relations of ANC councillors with ANC party structures in the post-apartheid state. The ANC caucus is an important informal decision-making structure; however, very little research has been produced for the understanding of how ANC party cohesion and consensus is generated inside the party caucus. The chapter has modestly examined the construction of consensus and cohesion through coercion and subordination, which illuminates a weakness in the internal democratic processes of the ANC. The internal dissent and disenchantment expressed by ANC councillors in the way in which the ANC caucus is managed is telling of how ANC councillors are becoming more overtly critical of the way collective decision-making is obtained, which mirrors the internal political dynamics observed at national parliament within the ANC.

Fourthly, the chapter confirms that patronage politics and gate-keeping of ANC regional party officials does exist. The ANC regional party gatekeeping practices feed into executive and council decision-making processes with the intention of controlling access to the economic affairs of the state. The way in which ANC regional party politics intercept council politics, shows both external and internal political dynamics of the ANC - inside and outside the council chambers - reinforce each other and having a direct impact on how councillors' exercise their representational roles and powers in decision-making. This chapter demonstrates the way in which ANC councillors are becoming increasingly detached from their representative autonomy due to the dominant presence of the ANC regional party in council decision-making. The objective is to control and restrain the decision-making powers of councillors, which intensifies the conflict between councillors and their ANC regional party leaders over access to municipal resources. It is this latter set of considerations that we will further turn to in the chapter 3.

Lastly, this chapter suggests that while the recent Local Government Municipal Systems Amendment Act (2010) was established with an objective of depoliticising local government administration by barring the administration from holding political office and

preventing councillors from interfering in the administration. On the other hand, the legislation has made no fundamental provision to protect councillors and senior managers from the interference and micro-management of ANC regional party officials. The legislation is ambiguous and if not silent about the way in which councillors ought to intervene in the administration when exercising their political oversight functions in demanding accountability from the administration. This has left councillors with even less powers over the administration in favour of creating an autonomous administration that is insulated from politics. The political dynamics demonstrated in this chapter reveals the inadequate attention given to understanding the complex partisan bureaucratic system that the post-apartheid local government predominantly functions within, which embodies both the political and administrative sphere of local government. This makes it difficult to transplant Weberian ideal-type bureaucratic models that espouse a total separation of political and administration processes as suggested by most commentators. The impact of a partisan bureaucratic system on councillors' representational roles and responsibilities will be further examined in chapters 4 and 5.

## 4 CHAPTER FOUR

### **IMPROVING SERVICE DELIVERY OR BUILDING AN O.R TAMBO MONUMENT? THE DILEMMA OF COUNCILLOR REPRESENTATION**

Our people do not have houses, toilets, water, and electricity and there are potholes everywhere. Water pipes are bursting every day because our infrastructure is old. We constantly told that there is no money to replace these pipes or even repair our roads in the townships. But they [ANC Regional Executive Committee and Municipal Executive Committee] want us to approve R10 million (£600 000) for a monument. (Interview with councillor Jacobs, 14 November 2014)

#### **4.2 Introduction**

As part of the ANC ongoing organisational regeneration programme, in January 2014 the ANC National Executive Committee took a decision to call for all provincial and regional party structures to develop programmes that would commemorate the legacy of Oliver Reginald Tambo, the longest serving president of the ANC president during the liberation struggle. In the Northern Cape Province, the provincial party structure and the regional party agreed to erect a monument of O.R Tambo at Kalahari Municipality. Although this decision seemed plausible to the ANC provincial and regional party, on the other hand ANC councillors at Kalahari Municipality did not fully support this decision due to the financial implications it hand on the municipal finances.

Firstly, this chapter provides a context of the post-apartheid project of transforming the heritage landscape that was dominated by colonial and apartheid nationalist monuments and memorials. It will demonstrate how the ANC provincial and regional party mandate of erecting the O.R Tambo Monument, which was represented by the Kalahari executive committee, generated conflict amongst ANC councillors, who strongly viewed their primary role was to promote the improvement of ‘service delivery’ rather than approving the allocation of limited municipal resources for erecting a monument. ANC councillors argued that through their previous experiences of how the municipality had failed to maintain already existing public monuments at Kalahari Municipality, they were sceptical that the monument might fall into a similar predicament of neglect.

This specific case provides insight into how ANC ward councillors the ways in which subordination and resistance are constructed in the process of supporting party political

mandates, which elucidates a representational dilemma for councillors. However, due to the significant pressure placed on the executive committee by ANC ward councillors, the ANC provincial party structure was persuaded into changing its plans of erecting this monument. Although this shift seemed plausible to most ANC councillors, nevertheless some ANC ward councillors remained sceptical about the alternative proposal of developing a heritage infrastructural development project based on their previous experiences and observations of how such projects had become ‘white elephants’ that did not meet community socio-economic expectations. It also further caused division amongst ANC ward councillors because the ANC ward councillors representing wards in the margins of the city felt excluded from the planned major infrastructural development project that were centred around the township wards located around the inner the city.

Secondly, this chapter will further provide evidence on how projects of this nature have the likelihood of facilitating corruption and patronage. Infrastructure development projects present possible personal financial gains for ANC regional party officials. Senior managers are able to manipulate municipal finances with the intention of facilitating economic spoils for individual ANC regional party officials without the knowledge of the executive members, which may result in financial irregularities and misconduct. As a result, some senior managers concealed information concerning financial irregularities relating to the project activities from the councillors, the mayor and members of the executive committee. This chapter offers insight into how ANC councillors deal with allegations of corruption. It will show how the process of dealing with corruption, coexist with employing both informal ANC party political processes in dealing with allegations of corruption involving municipal officials. Political norms of political loyalty to the ANC, at times subvert the bureaucratic rationale of applying disciplinary processes in dealing with partisan senior managers allegedly involved in the transgression of municipal financial procedures.

### **4.3 Erecting Monuments as Part of The National Heritage Transformation Agenda**

#### *4.3.3 Framing The ANC Post-Apartheid Commemoration Agenda*

The ANC as a liberation movement in power has followed a post-colonial commemorative agenda similar to that of other African states of erecting monuments.<sup>26</sup> The erection of monuments of liberation struggle icons finds legitimacy as a way of symbolically celebrating and paying tribute to those who fought against colonialism and apartheid (Rasool, 2001; Popescu, 2003; Marschall, 2010). The ANC viewed the preservation of old monuments with the erection of post-apartheid monuments as a broader political and social transformational agenda<sup>27</sup> driven by the general understanding that monuments could be used as ‘gestures of compensation’ (Marschall, 2004).

Nevertheless the position of preserving old monuments was (and continues to be) contentiously debated amongst academics, civil society movements, citizens, heritage practitioners and political parties (Jaiya, 1999; Jordan, 1997) as the recent Rhodes Must Fall movement demonstrated (Nyamnjoh, 2016; Newsinger, 2016). The political argument postulated by the ANC ruling party was that the re-representation of public history and heritage had to be balanced and inclusive. The ANC also had to take into account the democratic constitutional minority rights, which ensure that minority cultural rights are protected by the state. This meant that while former colonial and apartheid monuments represented a dark and painful past, their preservation had to be protected with the intention of creating a point of reference with the erection of new monuments (Marschall, 2010). Moreover, national government saw the erection of monuments as an opportunity to build the cultural heritage tourism sector, which has the potential of contributing to local economic development of municipalities in South Africa (ibid). Therefore, local government, as a sphere that is closest to communities, is expected to implement the heritage transformation agenda in partnership with national and provincial government.

Since the ANC came into power, it made its prerogative to see to it that the heritage landscape was transformed through the erection monuments and memorials in various municipalities; building of new museums; renaming of streets, towns and municipalities

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<sup>26</sup> In South Africa, the monument and memorial heritage landscape inherited from the previous apartheid regime represented a rather oppressive and painful past. Monuments were baistly reflected the heritage values and triumphalism of the minority White South Africans under the colonial and apartheid government state.

<sup>27</sup> Monuments were viewed as facilitators of a dialogue with the old regime while enabling a process of mourning, confronting the past and nation building.

after liberation struggle heroes. This was done through public consultations with stakeholders such as communities, civil society, academics and political activists. Some of these projects were funded directly by the national department of National Treasury and Department of Arts and Culture, while others were funded from provincial and municipal budgets in partnership with the business sector. According to Marschall (2010:42), erecting new monuments was viewed as a political opportunity by the ANC for inscribing new political ideological values, national identity and hegemony by fostering a new meaning for the post-apartheid state (ibid: 140). Therefore erecting a monument dedicated to O.R Tambo as an ANC struggle icon offered a possibility of reinforcing ANC hegemony in society.

#### *4.3.4 The O.R Tambo Monument Project*

By the time had I embarked on my fieldwork in September 2014, the issue of erecting an O.R Tambo was already part of the Kalahari Municipality council agenda. However, this project was not initially part of the broader developmental project contained in the five year Municipal Integrated Development Plan (IDP) (2011-2016) since it came as political directive from the ANC national party structure in January 2014. Therefore, council had to evaluate the monetary value and costs of the project. It was suggested to council an ad-hoc committee should be established specifically to oversee the project development and activities associated with the project (Interview, Mayor, 24 October 2014). The ad-hoc committee was named the 'O.R Tambo ad-hoc committee'. It was already established by council by the time I had arrived to conduct my fieldwork at Kalahari Municipality. Council establishes ad-hoc committee when there is an issue on the agenda of council does not distinctively fall under a portfolio committee.

According to the previous executive committee reports, the O.R Tambo ad-hoc committee was allocated approximately R500 000 (£30 000) to conduct a feasibility study on how best to preserve and commemorate the legacy of O.R Tambo. Like all other council portfolio committees, councillors serving on the ad-hoc committee were inclusive of both the ANC ruling party and opposition party members. It was noted in the report that since the municipality did not have the capacity or expertise on heritage issues, the ad-committee had appointed a consultant to assist the committee with conducting the feasibility study of the project.



#### **4.4 Competing ANC Party Interests and Community Service Delivery Needs**

##### *4.4.3 Prioritising Service Delivery*

In October 2014, the ad-hoc committee had concluded its first phase of conducting the feasibility study and research on the life of O.R Tambo. The ad-hoc committee delivered the report to the first council meeting I observed in 29 October 2014. The ad-hoc committee chairperson, who was the ANC chief whip, reported on activities that were embarked upon by its members. These activities included study tour visits to the O.R Tambo's place of birth in Mbizana, Eastern Cape Province. They also visited Pretoria, Cape Town and Port Elizabeth cities as a way doing a comparison of how other municipalities had embarked on commemoration projects in the past. Following this report, on the 29<sup>th</sup> of October 2014, I sat as an observer at the IDP Budget Steering Committee. The IDP Budget Steering committee specifically assists the mayor with compiling the municipality quarterly budget allocations and reviews that the mayor delivers to council every quarter.

The Chief Financial Officer (CFO) presented the financial performance report and reviewed all budget allocations for all municipal administrative departments. It was estimated that a budget of R10 million (£600 000) would be allocated for the erection of the O.R Tambo Monument that was proposed by the ad-hoc committee. This monument ought to be built at the main township settlement at Kalahari Municipality. After the budget presentation made by the CFO, the mayor expressed concerns with this proposal along with many other budget items, stating that it was 'too costly' and therefore it would not be justifiable to allocate the proposed amount of money for a project that had not been budgeted for in the IDP (Observation notes, Mayor, 29 October 2014). He expressed his disapproval and cited other service delivery priorities that required more money. The mayor echoed the following concerns after the CFO's budget presentation:

Why are we allocating so much money [R10 million (£600 000)] for the O.R Tambo Monument and yet only R3 million (£181 000) is allocated for surveying of sites? And why are you also allocating R2 million (£121 000) for the mayor's car? What is this car, a Maserati? I am not here for luxuries but for service delivery. We need to prioritise two things: service delivery and surveying of land so we that we can get more revenue for the municipality from infrastructure development. Our revenue collection is very low. Hence, we are unable to allocate funds into

capital projects such as building houses for the poor. We need to carefully weigh our priorities and we must prioritise cost saving. I do not need an expensive car. Allocate R800 000 (£48 000) for the mayor's car and the rest take it to Surveying and Planning. As for this project [O.R Tambo Monument], by the look of things, we will have to get other stakeholders like the department of arts and culture on board to share the costs of this project. (Observation of the IDP Budget Steering Committee, the Mayor, 29 October 2014).

At first, some of the senior managers chuckled at the mayor's reaction with respect to the amount allocated for his car. Another senior manager mumbled that the mayor 'deserved' a car worth that value because of his long service in the public sector (Observation notes, Kalahari Municipality, 29 October 2014). Their failure to recognise his sarcastic disapproval of the finance department rationale to allocate money that the mayor perceived to be excessive, only further annoyed the mayor. The mayor interjected responding to the comment made by the senior manager in a more serious and authoritative tone to emphasise his point about what he termed as 'fruitless and wasteful expenditure of municipal resources on activities that were not adding value to the primary objectives of local government' (Mayor, Observation Notes, 29 October 2014). The mayor's concerns illustrate that mayors appointed as political heads of the municipal organisations, constantly have to critically question administrative decisions and advice on financial resource distribution and expenditure. Within the discourse of service delivery, his emphasis on prioritising service delivery also draws our attention to how the mayor was being cautious about excessive spending of municipal resources on what he views as less important 'luxuries', which could be symbolic interpreted as using state resources for self-indulgence and private gain.

The issue of excessive spending of government resources for private gain by elected and appointed government officials was also part of a broader public debate amongst academics, citizens, civil society and citizen's during the period of 2013/15. The media and the public questioned the ethical conduct of politicians such president Jacob Zuma relating to the spending of R246 million on the security upgrade of President Jacob Zuma's private home in Nkandla revealed by the Public Protector Investigation report. The period in which the Nkandla report drew public attention also coincided with my fieldwork. It was also a topic of discussion amongst ANC councillors during the informal discussions we had during lunch hours. ANC councillors often used the 'Nkandla' issue as a point of reference in illustrating how ANC politicians and state authorities were recklessly using state resources without prioritizing citizens' developmental interests

(Field notes, Kalahari Municipality, October 2014). The mayor also once mentioned in passing during an informal conversation, how he did not want to draw unnecessary negative attention to himself. This explained why he had to raise the issue of an unjustifiable amount of money on a car allocated for his official municipal business (Informal discussion, mayor, 29 October 2014). The public discourse around the conduct of ANC state officials ignited by the Nkandla report might have created the awareness amongst ANC politicians to become more prudent on public spending by questioning the work of public bureaucrats who misadvise and misguide politicians.

#### *4.4.4 Divided Views between Ward Councillors and Ad-hoc Committee:*

Following the meeting of the IDP Budget Steering Committee, on the 2<sup>th</sup> of November 2014, the mayor delivered his first quarter budget adjustment report, which included the R10 million (£600 000) budget allocation for the project. At the council meeting, the ad-hoc committee chairperson also verbally presented an updated report to council on activities that had taken place concerning the project and further proposals concerning the project. After the delivery of the report, councillors from the opposition party, including the speaker, asked the ad-hoc committee to submit a full written report on the current state and conditions of existing monuments and heritage sites in the municipality. This request was done with the intention of ensuring that the O.R Tambo Monument would find a connection with the existing heritage landscape of the municipality.

Councillors from the opposition party raised concerns around the amount allocated for the project, questioning how the municipality was prepared to allocate these resources under the financial pressures facing the municipality (Observation notes, Council Meeting, 2 November 2015). An ANC councillor who was the chairperson of the Municipal Public Accounts Committee (MPAC), cautioned the ad-hoc committee that it should carefully monitor the financial spending activities related to the project. He also suggested that proposals that should culminate from the development of the project should be within a 'reasonable budget' (ibid). This read as a cautionary statement to the councillors.

After the council meeting, I had a short focus group discussion with six ANC councillors to get their views on the proposed project, seeing that finances seemed to have taken centre stage in the deliberation in council. They stated that the project was highly

contested and fiercely debated in the ANC caucus before the council meeting. Although ANC councillors understood and appreciated the political significance of the project, which entrench the ANC's political hegemony in the municipality, however the majority of ward councillors shared strong sentiments that were against the project. They constantly referred to the municipality's financial problems and how the ad-hoc committee was continuing to spend municipal resources on activities that they viewed had 'nothing to do with service delivery'. One of the councillors who was a member of the MPAC expressed this view during the focus group:

We are not saying that we should not honour O.R Tambo. As a man who stood for moral values and principles, O.R Tambo would not want government resources to be wasted on activities that do not benefit the community. Councillors in the ad-hoc committee are flying business class to the Gauteng, Eastern Cape and Western Cape, staying in expensive hotels and getting big allowances meanwhile the municipality is in a financial crisis and our wards are suffering. Councillors are supposed to play an oversight role. But they are not doing that. They just accept things without questioning them. Other councillors serving in this ad-hoc committee will not ask questions because they are benefiting and enjoying the privileges that come with the project. (Focus Group, councillor Mothupi, 2 November 2014)

The most prominent feature found in the practice of elected public office holders (councillors) at local government as suggested by councillors corresponds to Olivier de Sardan's 'logic or culture' of corruption that is strongly tied to 'predatory authority' (1999:24). Similarly, ANC councillors have been accused of entitlement to tributes and access to benefits not enjoyed by those who do not hold political office. Olivier de Sardan (ibid) in his conceptualisation of the culture of corruption stresses the point of corruption being a habitual part of everyday life, which is an embodiment of everyday social transaction, and therefore making it difficult to find a single solution to it. Political office and access to resources seems to shape or influence the (in)ability in terms of challenging decisions from the different positions of councillors.

Concerns raised by ANC councillors suggest that while the ANC party caucus attempted to present a unanimous voice in endorsing the project in council, the reality behind the political scenes was far from this. There was a consensus in the focus group amongst ANC ward councillors that they held opposing views and questioned the political rationale behind the decision to go ahead with this project under the prevailing dire financial circumstances. They also indicated that their argument for prioritising the delivery of services was not strongly supported by members of the ad-hoc committee and other executive committee members.

ANC Ward councillors also criticised the ad-hoc committee and executive committee for forging ahead with the project at the expense of improving the quality of community service delivery. The concern raised by ANC ward councillors regarding the executive committee going ahead with a decision that did not reflect the developmental interests of communities provides a nuanced perspective into understanding the representational focus and priorities between non-executive ANC ward councillors and executive members regarding the prioritisation of the budget allocation towards improving municipal service delivery. What may be viewed as a priority for ANC ward councillors may not necessarily correlate with political priorities of the executive and the ad-hoc committee.

Moreover, during our focus group discussion, ANC ward councillors were gravely concerned about the lack of proper consultation processes initiated with communities prior to the conception of the project, in order to find out whether communities wanted the project or not (Focus group, ANC ward councillors, 2 November 2014). According to ANC ward councillors, they viewed this decision as a failure in ANC councillors to play their representational role as agents of community interests and guardians of public funds (Focus Group with ANC ward councillors, 2 November 2014). This also means that ANC ward councillors do understand that their role is extended beyond being the *people's* agent, only concerned with the problems experienced by communities or within the ward and *party* agent that is more focused on the interests of the party (Newton, 1979). They also see themselves as trustees of accountability and councillors view transparency in practice, which meant that scrutinising and questioning how municipal resources are spent, as a prerogative in exercising their representational role in decision-making.

This sheds a different perspective from the dominant view expressed by authors such as Mashele and Qobo (2014:33-42), who have critiqued ANC councillors and other ANC elected officials for losing their 'moral compass'. Commentators have often pointed how ANC elected representatives are unable to hold the executive in parliament accountable but instead seek to protect and defend executive decisions as demonstration of loyalty towards the ANC (see Booysen, 2015; Mashele and Qobo, 2014; Suttner, 2006; Southall, 2013). ANC are beginning to use a moral argument to question and challenging decisions made by the executive committee and the ANC provincial and regional structures concerning the delivery of services and development of communities. The shift in loyalty

may suggest that ANC ward councillors do not view the moral conduct of ANC elected officials exclusive from the conduct of ANC politics and party cohesion.

Later, I had a discussion with the mayor in order to find out why he had decided to approve the R10 million (£600 000), despite his strong disapproval he had expressed at the previous IDP Budget Steering Committee meeting. The mayor has legislative executive powers of determining and deciding on the budget allocation of the municipality (see Section 57, Municipal Systems Act, 1998). Why did the mayor not use his legislative powers to re-allocate the resources to other areas of priorities that had previously brought to the attention of the Budget Steering Committee? He stated that because the project was an 'ANC provincial and regional political mandate', he was therefore compelled to implement the mandate of the party (Interview notes with the Mayor, 23 November 2014). This was not the first time I had come across the use of the word political mandates by other councillors.

During our conversations, other ANC councillors would also use words such 'political mandates' and 'democratic centralism' to describe the way in which certain decisions taken by higher structures of the ANC officials, held more weight and authority over government and lower local structures of the ANC in political decision-making (Field notes, Kalahari Municipality, November 2014 – March 2015). The word 'political mandate' used by the mayor in this case, serves as an example of the ANC's language used to ensure generate loyalty and cooperation from its elected and appointed ANC members in implementing ANC party political decisions in government. This reminds us of how the ANC structural hierarchal political management practice determines the line of political authority in decision-making (see Suttner, 2006; Southall, 2013).

The diagram provided in Chapter 1, which demonstrates the structures of the ANC from national, provincial local demonstrates provides an understanding of the hierarchical relationship between the ANC lower structures and relationship with the state underpin its political management practices when it comes to decision-making. According to the ANC political management hierarchy, the ANC provincial party structure also has legitimate direct influence over the ANC regional party structure and local government decisions through its politically appointed incumbents, making its politically appointed incumbent such as the mayor subject to party political decisions. Taking into account that the project

was a political decision of the ANC provincial party structure, the mayor and ANC councillors had to unanimously, take a decision in caucus to support and forge ahead with the project irrespective of the dissenting views of majority councillors at caucus. Under the ANC's principle of 'democratic centralism' (see Suttner, 2009; Southall, 2013), it is believed that party group cohesion and loyalty must remain unfailing to decisions taken by senior tops structures. This also reflects how ANC party political norms and rationality may at times out-weigh community interests represented by ANC ward councillors.

However, it is important to note that the concerns raised by ANC councillors are first to be noted as not first time concerns around the allocation of excessive amount of money by government to erect monuments and memorial projects in South Africa. For example, Cole (2007), McDonald (2001), Matavire (2002, 2003 and 2004) documented similar contestations over the erection of a Nelson Mandela Monument at the Nelson Mandela Bay Municipality in Port Elizabeth in 2001. Although there was no mention of ANC councillors having a different view about the project, however it was cited in the media that the project received public and community criticism for the high cost of R350 million, lack of financial transparency and ethical problems, poor public participation and consultation (Matavire, 2003).<sup>28</sup> Concerns about whether this money should have been rather spent on state social services such as housing, healthcare and other service delivery priorities was raised critically by communities and councillors in Port Elizabeth (Haddon, 2002).<sup>29</sup> Similarly, the O.R Tambo Monument Project at Kalahari Municipality also gained wide public criticism in the local newspapers from the public and councillors from the opposition party who were concerned about the costs associated with the project (Kalahari Daily Mail newspaper, December 2014).

#### 4.4.5 *Negotiating Behind the Scenes*

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<sup>28</sup> See Newspaper Reports Under Matavire, M. (2002), 'Agreement Signed For Gigantic Mandela Statue', *The Herald Online*, 29 November; Matavire, M. (2003), 'R2 million Pay Row Over Mandela Statue', *The Herald Online*, 13 August; Matavire, M. (2004), 'Port Elizabeth's Mandela Statue Complex To Cost R350 million', *The Herald Online*, 2 February.

<sup>29</sup> See Haddon, 2003, 'Statue Money Should Be Put To Better Use', *The Herald Online*, 25 October.



The amount of R10 million (£600 000) that was allocated to the project appeared in the mayor's budget speech which was delivered in council. This did not only produce internally divided views amongst ANC councillors, but also gained negative local media attention. Councillors from the opposition party made media statements in the local newspaper, expressing their concerns with the project and questioning the council's priorities regarding resource allocation. They complained about the deteriorating infrastructure in the municipality while the municipality was prepared to spend R10 million (£600 000) on a 'monument' (Kalahari Daily Mail newspaper, 2 March 2015). The mayor raised his concerns with the ANC regional party officials around the 'negative publicity' the project was generating in the media and amongst the opposition parties and his members of the ANC party in council (Informal discussion, Mayor, 15 March 2015). He said that he communicated with the ANC regional party officials and suggested not to go ahead with the project (ibid).

However, this suggestion did not receive much support from ANC regional party officials, including the ANC council chief whip, whom according to the mayor, insisted that the project should continue and the municipality ought to finance the project (ibid). During our discussions, the mayor seemed displeased with the ANC regional party officials' decision to pursue with the project. He then decided to escalate the matter back to the ANC provincial party officials and initiated one-on-one discussions with them in order to persuade them to put the project on hold until after the 2016 local government elections. During our conversation, the mayor insisted that,

The matter is really spiralling out of control due to the negative media statements it generating. These statements are attracting unnecessary attention for the ANC. The opposition party is using this as a campaign strategy against the ANC before the 2016 local government elections. I am worried because this municipality is struggling with its finances and this will make us look bad to our supporters and communities. The REC is not thinking about the implications of this project on our voter confidence. That is why I had to talk to the leadership in the province (Informal discussion with Mayor, 15 March 2015).

The encountered resistance and unwillingness to renegotiate the project with the ANC regional party officials also raised the mayor's suspicion that certain ANC regional officials had personal interests in the project. However, he did not want to further comment on the matter (ibid). He also noted in our discussion that he had to persuade the ANC provincial party officials to allow for a long term joint discussions between the municipality and other provincial departments such as the Department of Arts and Culture, of which they agreed to put the project on hold until the local government elections. He said that this collaboration



would assist in drawing up a business model for sharing the financial costs of the project after the 2016 local government elections. He further stated that rather than just focusing on a monument, an ‘infrastructural development project’ that addressed the infrastructure developmental inadequacies of most township residential areas would seem more plausible (Informal discussion, Mayor, 15 March 2015). His proposal was taken to the executive committee, which then recommended to council to put the project on hold citing ‘resource constraints’ as a major concern with the intention of exploring other alternative funding from other stakeholders for the project development.

The political decision-making dynamics between the ANC region and provincial officials tells us quite a bit about the fluidity and reciprocal approach of influencing ANC hierarchal ANC decision-making processes. Although the ANC provincial party structure sees itself as the highest decision-making body in the province above the regional structure, the mayor’s ability to sway the ANC provincial party’s ‘political mandate’ decision to reconsider the approach of this project in the municipality shows that the process of influence between the ANC party and the mayor is a two-way reciprocal process. This involves navigating between party political interests of the decisions of the ANC regional, provincial structures in relation to popular community interests. This process takes place in a form of political negotiations behind the scenes, outside the formal executive decision-making spaces, with ANC provincial and regional party officials. As we will see later in the chapter, due to political stakes for the ANC in council and pressure from ward councillors, the outcome of the negotiations between the mayor ANC provincial party officials resulted in a shift from a commemorative ‘monument’ to a ‘development’ project under O.R Tambo’s name, focusing on economic and skills development, community services, arts and culture with the intention of making communities the main beneficiaries. However, as it will be discussed in the next section, this project did not go without any allegations of financial irregularities.

## **4.5 Allegations of Administrative Financial Misconduct**

### *4.5.3 Financial Misconduct*

Subsequent to the executive committee's recommendation to put the project on hold, the mayor stumbled upon important information exposing financial misconduct relating to the O.R Tambo Monument project. One Sunday afternoon on the 12<sup>th</sup> of April 2015, a month

after the budget speech he delivered to council, the mayor telephoned me. He asked me to come to his office because of the sensitive nature of the topic; he was not comfortable in having a discussion over the telephone. When I arrived at his office, I found the mayor with his office secretary. He was preparing to leave town for one week on municipal business and had called in his office secretary to discuss the logistics. He was pacing up and down trying to get his laptop connected to the office printer. He asked me to give him a moment while he was getting his laptop connection sorted out.

While seated at the secretary's desk, I observed that he was very jittery anxious as he was pacing in and out of his office. Once the printer and laptop connection had been sorted, he came out and called me to his office. He let me enter the office and closed the door behind him. With a deep sigh, his first remark was, "somebody is going to get arrested and I'm telling you it won't be me." (Observation notes, Mayor, 12 April 2015). With great expression of curiosity, I then quickly asked what had happened. While we were standing at the door-way inside his office, the mayor began to recite the news he had stumbled upon the on Friday and Saturday. According to the mayor, he received a phone call on Friday evening from a whistle blower, who happened to be his fellow ANC member serving in the ANC provincial party structure. He had specifically called him to provide him with important and confidential information about the O.R Tambo Monument Project. The whistle blower said that he was tipped off by a municipal employee working in the finance department who allegedly revealed that the real financial value of the O.R Tambo Monument project was R72 million (£4 million), which the executive committee and the mayor were not aware of. The mayor expressed the following during our conversation:

A reliable comrade in the leadership [ANC provincial party] called me on Friday and revealed to me over the phone that the project is going to cost us R72 million (£4 million) instead of the R10 million (£600 000). It seems as if certain individuals in our ANC leadership who want to benefit from it are pushing this project. Fortunately, I then called the consultant who was responsible for assisting the ad-hoc committee with developing the project concept. I urgently requested her to meet me over the weekend. She agreed to meet with me on Saturday because she also said that she wanted to discuss the project with me. When I asked about this information, she confirmed that indeed it was true, the projected amount that had been projected was R72 million (£4 million). She also said that huge amounts of monies were already been paid to her company by the municipality. She was also complaining that more money was owed to her company. She is under the impression that she has already been appointed to run with the entire project. In fact she was trying to convince me how this project is good for the heritage development of the municipality and I should throw my support behind it and convince other councillors that she should to run with it. I could not believe what I was hearing (Informal discussion with the mayor, 12 April 2015).

The mayor further went on to say:

I have to put a stop to whatever is going on. I have written a letter to the municipal manager as we speak to conduct an internal investigation. It is now printed and I will sneak it underneath his office so he can get it first thing tomorrow morning because I am leaving tonight. I seriously do not want my name to drag into things that will put me behind bars. (Informal discussion with the mayor, 12 April 2015)

The above information detailing the concealed financial irregularities about the project signifies a complex relationship between ANC regional officials and senior managers reinforced by a partisan administration system. This relates to chapter 3, where ANC councillors expressed their concerns around the relationship between ANC regional party politicians and deployed senior managers under the partisan administration system of the ANC. It demonstrates how administrators are able to use their administrative powers to bend bureaucratic rules and deviate from financial management regulations for the economic gain of ANC regional party officials using state resources. It also illuminates a web of a complex collusive network relationship between ANC regional party officials, senior managers and business consultants who have political connections to ANC regional party officials who can their political power and authority to facilitate access to municipal projects.

It also draws us to a discussion led by most authors, as to how the post-apartheid state is characterised by rent seeking and crony capitalism (Beresford, 2015). In this regard, the current system of patronage and gatekeeping is shaped by the economic life of the private and public sector, where the states use of tenders to empower black owned businesses has created more opportunities for the exercising of patronage and crony capitalism. It has been argued that the ANC's embrace of neo-liberalism (Alexander, 2010, Bond, 2002) has contributed to the desire for private accumulation by politicians and state officials through collusion with the private sector at the expense of the state resources. The mayor's dismay in the way the consultant was persuading him to 'lobby' other ANC councillors to support the project also shows the manner in which business with the local government is conducted and how consultants also privately lobby elected officials to pledge support into their favour. This lobbying has a likelihood of manifesting a collusive relationship between elected politicians with business people, which in the mayor's view, could have legal repercussions.

After the discussion, the mayor showed me the draft official letter he had written to the municipal manager making enquiries about these allegations and demanding an investigation. I had to treat this information with confidentiality by not sharing the information with any other person at the municipality during the course of my fieldwork. The letter listed the financial allegations and claims made by the consultant, which the mayor regarded as substantial evidence to warrant an investigation of a possible financial misconduct committed by the finance department officials hidden from the executive committee. However, such claims of irregular financial misconduct that are concealed from politicians are difficult to pinpoint because of lack of material evidence (Olivier Sardan, 1999). Blundo (2007) also brings to our attention the sophisticated and discrete nature of collusion that happens behind the scenes between ANC regional party officials and senior managers, who in responsible for the actual payment of funds to service providers in the municipality is often difficult to bring to light. It becomes difficult to attest to these claims because they have to go through a discrete process of internal investigation. One can only confirm such suspected administrative irregularities through the confidential conversations I had with the mayor and other councillors (Blundo, 2007).

In an interview with the MPAC chairperson, he tried to explain why it is difficult to identify municipal corruption and maladministration:

There are times when you can really identify that there was real corruption. It becomes more difficult to prove there was collusion between government officials, party officials and business sector. The problem is that when you do an investigation, you find that some documents have disappeared, there were no proper records filed, some officials do not want to go on record as witnesses and there is absolutely no evidence. You can just insinuate that there was corruption and collusion. That is the challenge that we have as councillors and members serving in MPAC. (Interview with MPAC Chairperson, Councillor Phakathi, 13 August 2015)

This response also indicates that corruption and collusion between ANC regional party officials and state officials in the administration is most probably one aspect that remains difficult to reveal due to lack of evidence. Although the letter addressed to financial statements did not accompany the municipal manager as evidence to prove that irregular financial payments were paid to the consulting company. However, the discussion that took place between the mayor and consultant was adequate evidence needed to confirm that indeed there were suspicions of hidden financial misconduct and lack of transparency around the project. Secondly, this shows that senior managers may conceal financial information from politicians or mislead politicians if political office bearers on matters

concerning financial activities of the administration. This corroborates with Cameron's (2003:56) research of the Cape Town Municipality, which showed how bureaucrats concealing information required for the agenda of council by cluttering the agenda with trivia information not needed by councillors; and providing priority reports according to their sense of discretion and leaving out important information. In this case, the executive committee members did not have this knowledge at their disposal until brought to the attention of the mayor. This means that councillors can approve decisions and only find out towards the end that they were misled.

Thirdly, it further confirms the complex relationship between politicians and senior managers underpinned by political partisanship and the ANC's control over senior managers. Although there was no forthright evidence that shows that there was a collusive relationship between the consultant and finance officials, including individuals from the ANC regional party structure or other councillors who might have had an interest in the project. Nonetheless, it was later alleged by my informants that the finance department acted under the instruction of certain ANC regional party officials to make irregular payments to the particular consultant who had been promised to run the project (Informal discussions with Councillor Nhleko, 18 January 2016). Lastly, when financial misconduct was brought to the attention of the mayor, it is the political office bearer's responsibility to report it to council and law enforcement authorities for investigations. In the next section we see how the mayor is mainly influenced by partisan loyalties in deciding what process to follow when grappling with both informal norms (political) and formal norms (application of state rules) when dealing with corruption that implicates politically appointed senior managers and ANC officials.

#### *4.5.4 Formal and Informal Processes of Dealing with Financial Misconduct*

Formal institutional rules, such as the law, that govern institutional municipal structures and provide processes, are designed with the desire of curbing unwanted practices and supporting positive behaviour such as public service ethics amongst politicians and bureaucrats (Leach, 2010). However, institutional rules depend on the actions of actors who give meaning to institutions. Lowndes and Leach (2004: 561-563) state that, 'local political institutions are embedded in a wider political environment and within a specific

local context. This gives the notion that both formal and informal dimension of state institutions create a complex interaction between both dimensions.’ The formal rule of dealing with allegations of financial misconduct given in the local government legislation and the constitution points out that members of the executive and political office bearers have an obligation to act within their responsibility as elected public representatives.

During the time of the ongoing investigation, the mayor stated that he decided to get the ANC provincial officials involved as a way of ensuring that a political solution was found. According to the mayor, this was done to prevent the situation from erupting into a political crisis that could dent embarrass the ANC should the investigation implicate some of the party members and deployed senior managers (Informal discussion with the Mayor, 2 December 2015). Taking into account that the year 2015 was a campaigning period for the 2016 local government elections, the mayor had to ensure that the ANC would not find itself in a compromising situation for its political campaign. A political solution also means giving powers and authority to the ANC to intervene in administrative issues without necessarily exposing the political party and its members.

According to him, the above allegations of corruption could dent the image of the ANC in the run up to the local government elections as party in council government (Informal discussion with the Mayor, 2 December 2015). Although the mayor had expressed his disapproval of the financial misconduct, as we will see later, political solutions could also mean there could be no guarantee of legal sanctions against officials implicated in financial maladministration. The mayor also did not disclose in full detail what decision the ANC provincial party officials concerning the matter took. The mayor’s actions of requesting the municipal manager to conduct an investigation, whilst simultaneously involving the ANC provincial party officials in the issue of the unfolding events, shows the interception of both political and bureaucratic norms. As a consistent observer of mayoral executive committee and council meetings from October 2014 – August 2015, by the time I was about to exit the field, this report or issue was not brought to the attention of council.

This shows that handling state official misconduct through a political process has the likelihood of allowing impunity and may prohibit the elected officials from holding those implicated accountable. Eke and Tonwe (2016:145-147) notes how the inability to

enforce laws fans the embers of a culture of impunity, therefore perpetuating the idea that there are individuals who are untouchable. This relates to some of the frustrations once shared by other ANC councillors during our focus group. They claimed that there are some senior managers who are known within the municipality to be accomplices as facilitators of financial embezzlement in the municipality finance department. However, some of the financial embezzlement is done for the benefit of certain ANC regional party officials. Therefore, officials involved in financial maladministration are often protected by the ANC (Focus group discussion with ANC councillors, 2 December 2015). This is what ANC councillors' term as political protection in chapter 3, where ANC councillors claimed that senior managers enjoyed 'political protection' from ANC regional party officials and some councillors. This practice corroborates with the observations made by commentators, who have found that there is a common practice in the ANC, where deployed public service bureaucrats who often transgress the public service code of conduct and ethics are rarely subjected to disciplinary measures for their actions (see Booysen, 2015; Calland, 2014; Johnson, 2014). This case helps us to understand how local government senior managers' function within a system of impunity, because of the protection they enjoy from their ANC party which they are affiliated to. The MPAC chairperson further provides a compelling example of the dilemma faced by ANC councillors as a governing party in council, when having to deal with administrative financial misconduct:

Sometimes it is difficult to do these investigations because of political interference. At the end of the day, this is our party [referring to the ANC]. We are caught between a rock and a hard place. Because of the interests of the party [ANC], you cannot dig too much because you will expose certain things that will dent the image of the party [ANC]. The only thing you can do is to make the system work better now, by putting in control systems in place in order to prevent corruption (Interview with MPAC Chairperson, Councillor Phakathi, 17 August 2015).

Expressing the situation of showing loyalty to the ANC which ANC councillors find themselves, he further provides an example of the ways in which ANC party loyalty from ANC councillors is entrenched and generated at the expense of legal sanctions against the deviant behaviour of senior managers affiliated to the ANC. When I further asked about what ethical implications does this have on ANC councillors, particularly his role as the chairperson of a portfolio committee that is responsible for promoting accountability, transparency and scrutiny of unethical conduct of both elected and appointed officials.



The MPAC chairperson gave an example of his own personal experience of how he as an ANC councillor, has to negotiate between his ethical position and ANC party loyalty:

Let me give you an example of what happened some time ago. There was a tender awarded to a company that did not have a tax clearance. The law says you cannot award a tender to a company that does not have a tax clearance. These administrative officials here at the municipality awarded this tender. They broke the law yet they are still working in our municipality. No action was taken by the municipality or the party [ANC] against these officials. They become untouchable. As the MPAC chairperson, I cannot take action alone without the support of my councillors. I need my ANC committee members to support whatever recommendation I make. If I cannot get their support, then nothing will happen. That is why I stood up in a council meeting after delivering our MPAC report and emphasised that these officials must be named and shamed, so they can face the consequences for their actions and be barred for participating in tender processes in the future. This will never happen because the party [ANC] wouldn't allow it to happen. (Interview with MPAC Chairperson, Councillor Phakathi, 17 August 2015).

He further went to state that:

When it comes to the debate about one's ethical position, it is a difficult one. I must confess, I for one am a little bit lenient when it comes to the party [ANC]. I remember we once conducted an investigation about monies paid out to for disaster management relief. Our investigation led us to find out that these monies paid out ANC branch volunteers. When we told the party leadership [ANC regional party] about the findings, they told us not to pursue the matter because it would cause problems for the party [ANC]. We had shut down the report. On one hand, there is a limit in all of this mess. I always hold this view that when we do this for the benefit of the party [ANC], I can compromise although I would say to comrades 'let's do things properly in procedural manner'. If it is for individual party [ANC] members attempting to enrich themselves, I have a serious problem and I will not cooperate. I cannot just keep quiet and look the other direction. I admit, it is a serious ethical conflict. Sometimes I say that it is better if people share the resources equally rather than one person getting a huge chunk of the resources while others swim in poverty. (Interview with MPAC Chairperson, Councillor Phakathi, 17 August 2015)

This reflection provides us with a striking insight into another form of representational dilemma of ANC councillors serving in the MPAC portfolio committee, charged with a key and critical responsibility of ensuring financial transparency and accountability in the municipality. Here, the MPAC chairperson elucidates through his previous personal experiences of how he has to negotiate between his oversight position and with showing loyalty towards the ANC party. The dilemma here is an ethical one as well as a political one - choosing between protecting the interests of the ANC party or the state when they have to take a position on how to deal with financial misconducted and allegations of corruption committed by ANC affiliated senior managers.

Firstly, this illuminates that ANC councillors do think about the ethical conflict, which comes with the role of representing the state and ANC party political interests. This shows that the representational dilemma is not only limited to representing the service delivery



interests of communities but also representing the enforcement of the law. Here it shows the fluidity and selectiveness in applying the law, where investigation reports are swept under the carpet because of the negative legal implications it might have for the ANC party and partisan municipal officials involved. Particularly, personal ethical conflict also comes into play when ANC councillors are willingly to protect ANC party members and officials implicated in unethical conduct. On the other hand, doing things within the ambit of the law also shows that the law can be used for dispensing resources for the benefit of the ANC party or a particular group that has access to political and administrative decision-making powers. This means that some councillors view the law as not necessary impartial and immune to political manipulation. It can serve as a means advance the interests of the ANC party as whole.

Secondly, political norms also play a critical role in influencing councillor's decisions in applying the law when dealing with unethical conduct. This brings about the notion of councillors also being compelled to protect their political party. Willingness to participate in hiding investigation reports is generated through showing loyalty to the ANC and also subordination by senior ANC regional party officials. Thirdly, there is fluidity of personal ethical principals in applying the law comes into play when it also involves beneficiaries of state resources. The example provided by the MPAC chairperson, where he further uses personal ethical principals in supporting the decision of agreeing not to further pursue with an investigation involving the ANC branches because in his view, it is justifiable to distribute state resources that benefit the ANC party as whole rather certain individuals. In other words, the distribution of state resources to a critical mass of ANC members, is viewed by the MPAC chairperson justifiable and less detrimentally evasive because according to him, it does not equate to self-enrichment of a few individual ANC members.

Although the councillor's logic on how do ANC councillors determine the extent to which the distribution of public resources benefit the mass or individuals in the party remains vague. However, as in this case, private gain and mass accumulation of wealth by few ANC party members using state resources may be condemned by ANC councillors. This resonates with what Anders (2010:135-9) termed as 'patchwork of morality', where there is a fluid and inconsistent application of morals in law by public servants. In his work, Anders (ibid) shows that while social networks and kinship underpinned the reasons for

public servants to use public resources for the benefit of clients. On the other hand, civil servants are able to make a distinction between corruptive behaviour and kinship obligation - of which the latter viewed by public officials as unjustifiable reason for the corruptive behaviours of public officials. Here, Anders (2010:138) emphasises Mbembe's argument by stressing the point that there is no single universal morality but a patchwork of different moralities that is 'entangled with other logics'. This may also explain why empathetic and softer disciplinary approaches applied in dealing with the misconduct of ANC affiliated senior managers for the benefit of the ANC, based on selective personal and political moral justification. Nevertheless, we can see that the continuous subversion of the rule of law by senior managers is also re-enforced by multiple factor. These are related to the normalised culture of impunity and lack of consequentialism (Eke and Tonwe, 2017) enabled by patron-client relations; showing party loyalty and; the selective application of both legal and political norms by ANC councillors in dealing with municipal governance issues.

In a similar situation, the ANC regional party structure could have instructed the mayor not to go ahead with the investigation due to the political implications it would have for the ANC and its deployed senior managers (although the mayor did not declare this). It has been argued by Butler (2014) that this blurred approach between the ANC party and the state processes in dealing with government issues has a danger of undermining the autonomy of formal state processes when dealing with corruption. As with the case of the mayor and MPAC chairperson, it also prevents state actors from exercising their representational responsibility of holding those implicated in misconduct to account for their actions. However, taking into account that the mayor also holds regard for the rule of law, it means that politico-administrative norms and rules coexist in the choices made by some politicians in dealing maladministration. For the mayor, his focus was primarily focus was geared towards protecting the ANC and halting an activity that would lead to corruption rather than exposing ANC party members. In this case, seeking ANC provincial party political intervention in dealing with the misconduct of state officials does not necessary imply that the mayor views ANC processes as above the law, but rather reinforces to cease the deviant action in order ensure that a best possible outcome that benefits both the ANC and the state.

His fear of legal prosecution reflects his awareness of the legal consequences he would face as a political head of the municipality should he be implicated in the mishandling of finances of the O.R Tambo Monument Project. This forced him to ensure that he protects his integrity and to exonerate himself from unwanted practices as much as he may have wanted to protect his party and ANC affiliated senior managers. Therefore following the proper state procedure and ANC party political processes is an intertwined process in decision-making and illustrates the complex interaction between informal political norms and formal administrative code of ethics. When I made a follow-up months later to find out whether the investigation had been concluded, the mayor indicated that there was indeed financial misconduct and that the money paid to the consultant was more than the figure he had originally received from the consultant (Informal discussion with the Mayor, 21 February 2016). Due to the magnitude of the financial misconduct, the mayor stated that he had no alternative but to hand over the case to the law enforcement agency (police) for further investigation. He indicated that he also had written a statement giving his side of the story on what had initially happened.

#### *4.5.5 Poor Oversight and Lack of Financial Scrutiny Capacity of Councillors*

ANC councillors have raised the issue of poor councillor oversight and financial scrutiny in portfolio committees as a major concern. They viewed this as a contributing factor, which led to the consistent financial misconduct and irregularities committed by the administration in the municipality. As we have shown in chapter 3, the muddled council-executive committee system makes it difficult for councillors to provide an oversight role as chairpersons of portfolio committees. These council portfolio committees are critical in scrutinising the performance of committees operating under the executive committee. Therefore, council portfolio committee's roles and responsibilities are conflicted between political management and oversight. Moreover, councillors as council members also have the responsibility of scrutinising the decisions taken by the executive committee even if they are not members of council portfolio-committees. However, most ANC ward councillors have admitted that this does not often happen. As one ANC councillor stated in a focus group:

When I receive the council agenda, I only look for issues that have to do with my ward. I do not read the whole document and committee reports. Council agendas are always big documents.

Sometimes, we even get the council agenda a day before council. This does not give us enough time to read the whole document (Focus group, Councillor Steenkamp, 15 March 2015).

Another ANC councillor also indicated that:

Sometimes these administrators are smart, they hide information in these big reports so we will not be able to pick up their inefficiencies and the mischievous things they do (Focus group, Councillor Nene, 15 March 2015).

This point was further emphasised by another ANC councillor in the focus group:

Just because they [administration] are educated, they tend to undermine us as councillors. They know that we are not well educated. We do not understand finances and we do not have enough time to read all the fine details in these big documents. They use us to rubber stamp things they have already decided on. They [administration] hide these figures because they know we do not have the accounting and finance background and knowledge to read and understand financial statements. (Focus group, Councillor Grootboom, 14 November 2014)

As a consistent observer of council meetings, I had also come to observe that council agendas were usually thick and had long and detailed annexures of different reports from the committees (Field notes, Kalahari Municipality, October 2014 – August 2015). I used to collect these agendas in order to follow the issues discussed in the council meeting. They came across as bulky with detailed operational information at times, which made it rather difficult to identify and extract relevant information required for decision-making. This observation corroborates with Cameron's (2003:56) research of the former Cape Town (1986) of how information required for the agenda of council was concealed by cluttering the agenda with trivia information not needed by councillors and providing priority reports according to their sense of discretion.

The councillors' assertions of not going through the entire council report also explains why information relating to the finances of the municipality may be overlooked by councillors who only concentrate on ward related issues on the agenda. This goes against the range of responsibilities highlighted in the SALGA (2006) handbook for councillors regarding holding the executive and administration accountable by scrutinise administrative and executive reports, including financial statements and spending on projects. If councillors do not meticulously do the scrutiny of reports, it may result in financial misconduct or irregular expenditure, which may only be detected afterwards. The mayor once noted in passing during an informal discussion that most political office bearers neglected to read the fine print in reports submitted by the administration before signing. In his view, he noted that:

The culture of non-reading and negligence is the main culprit that leads most politicians to sign/approve irregular and misleading information given by the administration. I had to start from there - thoroughly read all documents before signing off documents from the administration and to also familiarise myself with the legislation. In that way I can provide informed leadership direction to my executive committee and also understand my powers and functions given by the legislation while executing my duties. (Informal discussion with the Mayor, 14 October 2014)

Since the issue of lack of councillor capacity to provide financial oversight has been often raised as a weakness of many councils in government report such as Auditor General (2014-15) and COGTA (2009), I probed the MPAC chairperson by asking to what extent in his view, does this weakness resonate to ANC councillors at Kalahari Municipality. He echoed the following:

The situation we have in this municipality is that the councillors sitting in these portfolio committees are not necessarily clued up in matters related to finances. At the end of the day, they are politicians. They do not have the necessary skills to interrogate financial reports, ask relevant questions and detect financial transgressions at the early stages. When it comes to monitoring municipal finances, we are weak. (Interview with MPAC Chairperson, Councillor Phakathi, 17 August 2015).

Additionally, councillors admitted that the poor scrutiny role of councillors stems of difficulty to engage with financial statements in the reports and their suspicion that profuse nature of council reports that is done deliberately to conceal information from councillors (see Cameron, 2003). Here we can see that councillors expressing their limitations, by referring to inadequate basic levels of education in finance, which works against their ability to exercise their scrutiny role effectively. This demonstrates a sense of dis-empowerment whilst also acknowledging the deliberate action taken by the administration to produce elaborate documents they often contain operational reports and annexures, contributes to their difficulty to read and comprehend these reports.

The assertion made by councillors regarding decisions being imposed on them by senior managers is raised within the context of councillors' limitations of being unable to apply themselves fully in assessing information provided for decision-making. Hence, councillors raise the suspicion that this is done by the administration with the intentions of concealing specific information from councillors. As we can see with the O.R Tambo Monument Project, concealing of information and not scrutinising financial statements can also contribute to the manipulation of financial procurement processes.

## **4.6 Heritage as an Economic Developmental Panacea?**

### *4.6.3 Convincing Sceptical Councillors*

On the 2<sup>nd</sup> of June 2015, the consultant which was appointed to assist the ad-committee was called into council to present a full report and make a proposal on how to implement the project. The lead consultant was a well articulate Black female professional approximately in her early thirties. She came with two partners from her consulting firm, accompanied by a team of three officials from the Provincial Department of Arts and Culture. She introduced herself as the managing director of the consulting firm that specialised in managing heritage development projects. As the head of the consulting firm, she led the introduction of the team members, consisting of one Black male quantity surveyor (engineer specialist) responsible for assessing the infrastructural feasibility of the project; and the other was a White male architect, responsible for the architectural design of the project.

With regards to the South Africa affirmative action policy, this stresses racial and gender representation. Therefore, having a Black young female as the managing director of the consulting firm and two male employees, of which one being White minority, also depicted the sought-after image of representation expected by the South African Black Economic Empowerment national government policy. This team fitted perfectly into the BEE preconditions that companies bidding to provide services for the government ought to comply with. They also informed councillors that they were a locally based small project management. Affirming in her introduction statement that ‘we are proud children of the soil’ (Council observation notes, Kalahari Municipality, 2 June 2015), which is used as a South African contemporary expression of demonstrating the native roots of a person from a particular place. This could be read as a sign of her trying to reassure councillors of their organisations locality and familiarity with Kalahari Municipality in order to make councillors feel at ease that they were not outsiders and therefore understood the municipal surroundings well.

When she delivered the background context to the project, she mentioned that they were approached by the municipality to advise the ad-hoc committee to develop a project concept for the O.R Tambo Monument. She stated that they also conducted preliminary

research on O.R Tambo's life, including the assessment of existing monuments concerning his commemoration. She also outlined the various places they had travelled to with the ad-hoc committee members. Emphasising that the project was 'expensive and time consuming', their extensive travels were justified with the necessity of 'better understanding O.R Tambo's historical upbringing and how to preserve his contribution to the liberation of South Africa (Council observation notes, Kalahari Municipality, 2 June 2015). She also showed pictures of all the different heritage sites she and her team visited with the ad-hoc committee members, which were presented as evidence of the extensive work they had embarked on (ibid).

She further stated that whilst visiting the place of birth of O.R Tambo in Mbizana, they had met with O.R Tambo's nephew, who apparently posed critical questions to the ad-hoc committee members, if whether it was necessary to commemorate O.R Tambo by erecting a monument. She elaborated on how she and her team were made to rethink about the way in which this project could potentially contribute to the socio-economic development needs of the community. She further claimed that this critical question led to the deliberations with the ad-hoc committee members of changing the project concept. This brought about shift in developing a community development project under the name of O.R Tambo rather than the monument. She used this explanation to justify why the project had changed from a monument to an infrastructural development project (Council observation notes, Kalahari Municipality, 2 June 2015).

Being privy to the ongoing internal negotiations that were taking place behind the scenes between the mayor and ANC provincial party officials, and the disagreements that had emerged amongst ANC councillors concerning the project, the likelihood was that political pressure from ANC councillors and the mayor's persuasion determined this change. She then went on to deliver the presentation, which began with an assessment made of all existing monuments at Kalahari Municipality as per the council suggestion made to ad-hoc committee in February 2015. It gave a synopsis of the state of existing monuments in terms of their physical status, positioning, public accessibility, heritage significance and tourism potential. The report containing the project proposal was presented by the architect. This included an impressionable artist digital image of the proposed project site, which included the building of social housing and college accommodation, recreational and sports facilities; the upgrading of an existing community



centre, crèche and library. This gave an imagining of what the project would look like. The project was re-named as the 'O.R Tambo Township Development Project'. Everyone in the council chambers listened attentively with great interest to their presentation.

The presentation was aesthetically captivating and well delivered. Through the various comments made by three councillors after the presentation, they seemed impressed, stating that it offered 'developmental opportunities of changing the township into a modern township' (Council observation notes, Kalahari Municipality, 2 June 2015). This comment also demonstrated the councillors hopes had aspirational ideas of contributing towards a modernisation in the township. The project made promises of social development and economic spin-offs for communities. The presentation emphasised that the project would benefit the community by alleviating the high levels of unemployment and providing jobs not only through tourism, but through the employment of local labour in the construction of the road, social housing and sports facility infrastructure. The consultant also made a suggestion that other wards that did not fall under the ward for the proposed project, should likewise get sport facility upgrades and development under the project funds. Since other ANC and opposition councillors had previously been vocal about their disenchantment with the project and complained that little attention was paid to their wards in the margins of the municipality which were located in this particular township[ (Focus group notes, 12 March 2015). The reconceptualization and inclusion of other wards seemed to address these concerns.

The mayor did not pass a comment after the presentation and gave the platform to other councillors to express their views. He indicated to me after the council meeting that he still had his reservations taking into account the controversy which had emerged around this project (Informal discussion with the Mayor, 2 June 2015). Compared to the last debriefing in November 2014, there were more comments coming from ANC councillors (including councillors from the opposition party) who commented that it was 'as a good idea and it showed a big futuristic dream of having projects that have the potential of transforming municipality into city', due to the infrastructural development it promised to deliver (Council observation notes, Kalahari Municipality, 2 June 2015). This comment resonates with Arnoldi (2003:56) in his analysis of monument projects in Nigeria, where he argues that projects of this nature often illustrate 'a concerted effort to refashion the



visual and symbolic landscape of the city in the popular imagination...with the intention of development of the city in an attempt to emulate other developed world capitals.’

However, it was not long until councillors began to raise concerns about the way in which the proposal was silent with regard to demonstrating how the development would be maintained upon completion (Council observation notes, Kalahari Municipality, 2 June 2015). Councillors raised concerns around the municipality’s negative past history of poor planning, where projects would incur escalating costs and missed deadlines (ibid). Another issue which discomfited other ANC councillors was that the project did not declare any budget implications.

This is definitely a mega-project but we didn’t see the budget. Where is the budget? How much will it cost us? If there is no budget estimate we might find ourselves running into budget over-runs like these other mega projects we see all over the country, for example the ‘Gautrain’ in Gauteng province [referring to the high speed train established in Johannesburg before the 2010 world cup]. We also have to be cautious about these mega-projects because they tend to become white elephants. Have you done any economic benefit projections? (Councillor Phakathi, Observation of council meeting, 2 June 2014).

Although the amount was not declared in council, however, the local newspaper reported the following day that there were ‘rumours’ alleging that R72 million (£4 million) was the real cost of the project (Kalahari Daily Mail newspaper, 2 June 2015). However, the allegations of financial misconduct were not reported in the newspaper. This means that this had not leaked to the press. When I had an informal discussion with ANC councillors about this undisclosed amount and ‘rumours’ of the alleged R72 million (£4 million) cost of the project, ANC councillors indicated that they already had knowledge from their own sources about the concealed information regarding the cost of the project. According to councillors, this also explained the reasons why the organisation was not able to reveal the true value of the project to council when they were probed by the MPAC chairperson. ANC councillors also expressed their suspicions of a ‘hidden agenda’. They were convinced that there was an element of ‘dishonesty’ surrounding the project and indicated that they were keeping a close eye on it (Informal discussion, ANC councillors, 2 June 2015).

#### 4.6.4 *The ‘White Elephant’ Syndrome*

Irrespective of the grandiose development idea delivered to council, however other ANC councillors raised concerns around the likelihood of the project becoming a 'white elephant' like other existing projects in the municipality. While the presentation delivered by the consultant appraised the good condition of other existing monuments at Kalahari Municipality, nevertheless they were upfront about the poor conditions of other monuments and memorials that were established post-1994 at Kalahari Municipality. Both ANC and councillors from the opposition parties in their criticism also made reference to the 'appalling condition' of two existing memorials at Kalahari Municipalities established post-apartheid. Hart (2014) notes how the decentralisation of national government responsibilities to local government, often came with 'unfunded mandates and functions' and adding more financial burdens on municipalities that were already struggling to meet their constitutional obligations of providing basic services to communities. Councillors cited how these memorials had also fallen into the trap of being a 'white elephant' as a result of neglect and dilapidation because the municipality had no resources to maintain them.

The shift in approach and grandstanding of potential economic benefits and development of this project exemplifies how it has been a common thread for heritage projects to be linked with economic development through tourism as the main motivation for erecting monuments and memorials in South Africa. As Marschall (2010) points out, the central argument raised by national government and private sector officials has been framed around the commercialisation of heritage rather than being simply a historical one. The assumption made about past and present heritage commemoration projects ventures is that they have a high potential of attracting tourists, creating jobs in the hospitality industry and improve infrastructure development (Edward, 2000). This position was predominantly supported by the ANC's shift towards neoliberal policies during former president Thabo Mbeki's era, which viewed economic growth as the main catalyst for eradicating poverty and unemployment in local government (Edward, 2000; Marschall, 2010). As a result, national, provincial and local government strongly leaned and supported cultural and heritage tourism ventures, which remained highly favoured, even though there is little evidence to show the impact of this industry on poverty alleviation and economic benefits directly derived from commercialisation of monuments and memorials in particular.

The questions and concerns raised by ANC councillors (including the opposition party) indicates their real encounters with the post-apartheid heritage transformation agenda and neoliberal ideas that were attached to it. The scepticism of councillors towards approving the project was informed by their past experience and observation of how past developments of grand projects of this nature, in turn have become a liability for the municipality and do not necessary bring about the perceived economic benefits for communities. The critical questions around the budget, infrastructure maintenance and concerns about projects being a ‘white elephant’ are indeed viewed as legitimate questions by councillors based on councillors close past observations with existing commemoration projects of this nature in the municipality. It points out that irrespective of being sold to developmental ‘big ideas’ associated with heritage projects, councillors have become acutely aware of the negative consequences that often come with such projects which do not yield the intended results.

#### **4.7 Conclusion**

This chapter has demonstrated the complexities of council decision-making and the tensions of representative local democracy by providing insight into the internal power struggles and resistance of ANC councillors against municipal corruption and subordinated into supporting decisions taken by ANC political structures at provincial and regional level. Whilst councillors and political office bearers understand their primary focus should be on representing ‘service delivery’ and development interests of their communities, however the partisan representative role of councillors often conflicts with popular citizen interests. The concerns raised by councillors of spending money on monument and the ‘white elephant’ syndrome of big infrastructure development projects accentuates how councillors are compelled to exercise tenacity in their scrutiny role as trustees (Pitkin, 1969). These dynamics can be located within the context of the shifting role of councillors, where councillors might have assumed the role of defending the decisions of the executive committee as a show of support and loyalty of ANC political mandates. Moreover, councillors’ are beginning to feel the pressure from an agile electorate that continuously questions the legitimacy of councillors’ actions and demand representational focus through popular protests in South Africa (Alexander, 2010; Atkinson, 2007; Booysen, 2015; Hart, 2014).

Although monuments and memorials have been positioned as panaceas' for socio-economic local development (Marschall, 2010), ANC councillors have become more sceptical about approving commemorative heritage projects positioned as potential spinners for local socio-economic development due to the unmet expectations previously observed by councillors and their communities. This also contributes to the debate on the responsibilities added onto local government by national and provincial government in quest for making local government 'developmental' without the decentralisation of fiscal resources and capacity (Hart, 2014). In the search of finding a balance between representing partisan political interests and the interests of their communities, councillors have to adopt ways of negotiating and navigating between ANC provincial and regional party structures. This chapter also demonstrated how political office bearers such as the mayor, who have more legislative decision-making powers to influence executive decisions and resource distribution, play a critical role as brokers between the local state and the different levels of ANC party structures.

Importantly, the chapter has provided insight into how infrastructure development projects of this magnitude may also place decision-makers in a precarious position, because they have the potential of fostering a catalytic opportunity for financial private gain for some municipal officials and ANC regional officials. While there is a general perception that councillors are often implicitly involved in municipal corruption and rent seeking as suggested by some authors (see Alexander, 2010; Atkinson, 2007). The evidence produced in this chapter challenges the generalisation that councillors are corrupt. Instead, this chapter reveals that senior managers affiliated with the ANC regional party officials – who are responsible for the management and administration of finances of the municipality - are in fact more directly involved in the manipulation of municipal finances as managers and distributors of financial resources. Irregular financial transactions made to contractors doing business with the municipality affiliated with ANC regional party, can be done without the knowledge of the mayor, councillors and the executive committee.

For contributing to the discourse on municipal corruption, this chapter reveals that corruption is quite complex and interwoven in a web of multiple actors such as councillors, public servants, private companies doing business with government and ANC political leaders. The system of patronage between ANC regional party officials and

senior managers surfaces prominently and it is permeated within the partisan bureaucratic system of local government, which has the potential of enabling municipal corruption and financial misconduct. The idea that senior managers enjoy ‘political protection’ as a reward for misappropriating municipal finances for the personal gains of ANC regional party officials perpetuates a culture of impunity and earning certain senior managers an ‘untouchable’ status in a partisan bureaucratic system.

More so, this chapter has been able to demonstrate that dealing with corruption in a partisan bureaucratic system, can be quite complicated. The argument made by this chapter is that we need to understand both legal bureaucratic and that the partisan nature of the South African local government bureaucracy, which allows for the penetration of political norms into bureaucratic legal norms when applying the law (see Olivier de Sardan, 2014). The mayor’s choice of seeking a political solution whilst commissioning an internal investigation into the alleged corruption, demonstrated how informal political norms coexists with administrative formal norms, thus producing what Olivier de Sardan (2014) terms as ‘practical norms’. These practical norms are also expressed by councillors through the combination of both partisan loyalty and patchy moral condemnation of corruption towards the practices of accumulation of private gain of individual members of the ANC, when dealing with various forms of corruption within the administration.

## **ORGANOGRAM POLITICS: BUILDING STATE CAPACITY OR SECURING JOBS FOR ANC COMRADES**

The organogram is being pushed by certain councillors and REC officials [ANC regional party officials] because they want to deploy friends and comrades into those positions. That's why they are putting so much pressure on the executive committee to make a recommendation to council for the approval of the organogram. (Interview with Councillor Nene, 17 August 2015)

### **5.2 Introduction**

Since the establishment of post-apartheid local government, 'local government reforms' and 'building state capacity' have been placed as a central focus by national government as an attempt to make local government developmental. This was brought about by the realisation that municipalities did not have the necessary bureaucratic capacity to respond to the socio-economic development needs of communities following the establishment of a democratic local government system in 1998. The introduction of post-apartheid legislation such as the Municipal Systems Act (1998) and Municipal Structures Act (2000) laid the legal framework for deracialising local government through newly established municipalities and their administration. The Local Government Municipal Financial Management Act (2003) was later developed under the New Public Management (NPM) regime as a legislative framework that would introduce debt budget recovery and tighter fiscal measures (see Cameron, 2010).

In order to make the work of local government more cost effective and efficient under NPM regime (Holzer and Schweste, 2011:32), the National Treasury (NT) guidelines suggested a financial expenditure cap of 35% on administrative human resources (see National Treasury Regulations, 2001) for all municipalities, which pressurised most municipalities in South Africa into simultaneously reducing the size of the bureaucracy, systems privatisation and outsourcing of services and beefing up their organisational capacity through professionalisation and adopting managerialism concepts of performance management. Professionalisation of local government was further advanced through the implementation of the Minimum Competence Levels Regulations (2007) that compels senior managers and lower municipal employees to possess work-related qualifications and reinforced in the National Development Plan (2012) under Jacob Zuma's administration.

This chapter examines the political dynamics of the executive committee's decision to restructure the municipal administration through the development of an organogram with the intention of strengthening municipal institutional human capacity in order to improve municipal efficiency in the delivery of services. Kalahari Municipality had been struggling to recruit skilled workers and to keep the administration below the 35% threshold expenditure stipulated by National Treasury. According to the Kalahari Municipality Annual Report (2014), the municipality was spending close to 40% of its R1.7 billion budget on employee salaries, of which a large amount was going to general and workers. Councillors indicated that the administration was 'bloated' with unskilled personnel, and that some had been 'deployed' by the ANC regional party structure into municipal positions without the having the required technical skills or competency to execute the primary job related responsibilities. The executive committee of Kalahari Municipality recommended to put a moratorium on the further employment of staff members and embarked on a process of reviewing and developing a new organogram as a solution to re-structuring the administration. The aim was to also reduce the number of redundant and unskilled workers while creating new positions in the organogram that would make way for the employment of technically skilled professionals.

The municipality's executive committee's decision of reviewing and developing a new organogram culminated into a proposal for the non-renewal of national government's Expanded Public Work Programmes (EPWP) workers contracts, dismissing redundant workers and replacing unskilled workers with professionals. However these proposals were met with resistance from ANC councillors, the South African Municipal Workers Union (SAMWU) and the ANC regional party officials. Whilst the development of a new organogram may be viewed by executive decision-makers as an impartial administrative management process to pursue the objective of building state capacity, on the contrary an organogram may symbolically become a political tool that is used to continue with the practice of distributing of state jobs through patronage deployments, negotiating and securing particularistic interests of state actors. This paper will demonstrate a dialectal relationship between building state capacity and the decapitation of local government bureaucracy, which is located within the politics access to resources and competing interests of state actors. The paper therefore argues for the idea that while some state actors may employ strategies that seek to strengthen the image of the state through the



implementation of the NDP's objective of building state capacity, these strategies coexist with practices that may weaken the image of the state.

### **5.3 Local Government Reforms: Building State Capacity and Professionalising the Administration**

#### *5.3.3 An Unfinished State Reform Agenda*

Since the early 2000's, the South African national government has been engaged in reforms aimed at improving the capacity of local government with the objective of fulfilling its 'developmental constitutional mandate'. We can see this from the initial adoption of the Municipal Finance Management Act (2003), supplemented by various programmes which were rolled out by key national ministries such as the National Treasury and the former Department of Local Government and Traditional Affairs (DPLG) (now known as the Department of Cooperative Governance and Traditional Affairs), with the help of the World Bank and GTZ technical experts. These reforms were a result of a neo-liberal development agenda initiated under former president Thabo Mbeki, where the Reconstruction and Development Programme (RDP) was replaced by the Growth Employment and Redistribution (GEAR) macro-economic policy. The latter policy also introduced austerity measures by adopting budget deficit control, tighter fiscal control systems, decreasing the size of the bureaucracy, targeting employment creation with a 6% economic growth, and extension of services to local government as per the South African constitutional mandate (Hart, 2013).

The GEAR macro-economic policy did not come without its challenges. In terms of local government, it had direct impact when it came to debt recovery through privatisation of municipal services, which further that marginalised impoverished households. Local government reforms which were targeted for debt-recovery policies introduced measures such as cutting off water and electricity services and introducing technology to manage debt recovery and controlling indigent registrations. This contributed immensely to the proliferation of popular protests in municipalities with poor and marginalised communities (Hart, 2014; Pieterse and van Donk, 2013). In terms of institutional municipal performance, there were also various support programmes introduced to strengthen the performance of municipalities in South Africa. With the help of the

Development Bank of Southern Africa, Project Consolidate was introduced from 2004 to 2005 by the former Department of Provincial and Local Government (DPLG) as a two year project that was aimed at deploying technical skilled expertise to assist struggling municipalities in addressing infrastructure service delivery backlogs, and also at putting administrative and internal financial control systems in place.

However, when Jacob Zuma came into office in 2009, it was revealed in the ‘State of Local Government’ report produced by government (COGTA, 2009) that the former interventions had not made noticeable strides in improving state capacity for local government to deliver on its constitutional mandate. Planning for a developmental state then became a central focus under the Zuma administration. This led to the establishment of the Planning Commission in 2010 which was given the responsibility of bringing together civil society, government and private sector to deliberate on how to spearhead the development of South Africa. In 2012 this process culminated in the development of a policy document referred to as the National Development Plan of 2012.

The agenda of building state capacity for a problematic local government sphere found presence in the National Development Plan (2012). This suggested that irrespective of the former interventions implemented under Thabo Mbeki’s administration, state capacity remained as an obstinate challenge that crippled the development of local government. According to Chapter 13 of the National Development Plan, which is specifically dedicated to ‘building a capable developmental state’ pointed out that:

The search for a quick fix has diverted attention from more fundamental priorities. A deficit in skills and professionalism affects all elements of the public service. At senior management level, reporting and recruitment structures have allowed for too much political interference in selecting and managing senior staff. The result has been unnecessary turbulence in senior posts, which has undermined the morale of public servants and citizen’s confidence in the state. At junior levels, there has been insufficient focus on providing stimulating career paths that ensure the reproduction of skills and foster a sense of professional common purpose. This building of state capacity is viewed by the government as the most important step to achieve a developmental state in order increase local government efficiency and effectiveness (2012:408-9).

This suggests that the failure to transform civil service through the recruitment of professionals into the government administration was further complicated by informal practices of political interference in the appointment of civil servants into the public service (including local government sphere). Therefore depoliticising and professionalising the public service became a priority of national government. Whilst the

NDP makes a bold assertion of promoting a public service that is sufficiently autonomous and insulated from political interference and patronage (see Public Service Commission, 2016:6).

The latter seems to signal the NDP's alignment with the Weberian bureaucratic-rational model by advocating for a merit-based system, fortified by a bureaucracy that is free from political meddling and political spoils in the administration. On the other hand the NDP makes provision for the need to retain political appointments supplemented with the meritocracy by further proposing for a 'hybrid approach for top appointments that allows for the reconciliation of administration and political priorities at senior management level, further stipulating that middle managers and lower staff members should be appointed based on merit (NDP, 2012:411). The problematisation of political interference and patronage appointments of public servants echoed in the NDP resonates with the neo-patrimonial characteristics of African bureaucracies that has been conceptualised by scholars of African political studies. African states and their bureaucracies are often examined through the lens of Weberian logic. Thus African bureaucratic practices that do not align themselves with Weberian type of bureaucracy are assumed to be a deviation from the bureaucratic legal-rational (Wilot, 2014:91).

Although the NDP makes provision for the hybrid system of appointment into the public service, nevertheless it is underpinned by the Weberian legal-rational dichotomy between politics and administration principles (separating the bureaucracy from politics) (Wilson, 1887); separating the private domicile of public servants from the public sector purse; emphasising recruitment and promotion based on general rules concerning specialised training (expert knowledge) in a modern state (Bierschenck and Olivier de Sardan, 2014:11-12). In terms of local government, the NDP does very little to take into account the complex power dynamics of a partisan bureaucratic system, where political and practical norms (Olivier de Sardan, 2014) are deeply entangled within all levels of the administration. Local government in South Africa, functions in a partisan bureaucracy that is highly responsive to multi-layered sources of political power and variations, which re-shape the implementation of national government reforms aimed at building state capacity from below. Instead of viewing the state exclusively as a neo-patrimonial homogenous entity, this article captures the local government state as a heterogenous bundle of practices and processes in a complex field of powers between state actors

(Bierschenck and Olivier de Sardan, 2014:14-15). This chapter examines local state practices and complex processes of restructuring the municipal organisation in its quest for building state capacity in accordance to the NDP, marked by deeper underlying fault lines which the NDP policy aspirations fail to take into account. These fault lines contribute to the fragmentation and contradictions arising from the enforcement of those local government reforms aimed at building state capacity.

#### **5.4 Deployments and The ‘Decapitation’ of The State**

When the ANC came into power following the liberation, the former White apartheid national, provincial and local government bureaucracy was replaced by an ANC-aligned Black administration using the ANC Deployment Policy (1997) and Employment Equity Act (1998). The ANC used the Affirmative Action in the Public Service Policy (1998) and ANC Deployment Policy (1997), arguing that previously marginalised black South Africans must be given opportunities through preferential employment into the state machinery. The majority of ANC-deployed bureaucrats did not possess higher administrative skills due to the apartheid systematic educational marginalisation of black South Africans, which subjected Black South Africans to an inferior Bantu Education system that prevented them from obtaining higher skills and education, thus limiting their professional careers and upward mobility. Therefore public service appointment under the ANC paid less attention to the merit-based system of appointment that is aligned with the Weberian form of bureaucratic administration (Mafunisa, 1999).

According to von Holdt (2010), this contributed to the lack of bureaucratic capacity and shortage of professional skills in the public sector. The primary political objective of the ANC at the time was to ensure that through preferential employment and deployment, the state was racially transformed and that the administration was ‘loyal and responsive’ to the political agenda of the ANC of advancing the socio-economic development of previously marginalised Black South Africans (Mafunisa, 1999; Von Holdt, 2010; Southall, 2013). The system of political appointments - or ANC ‘deployment’ in this context - into the state apparatus is a common practice found in most post-colonial states in Africa. It was informed by the political rationale that the former colonial bureaucracy must be replaced with a bureaucracy that is responsive and loyal to the post-colonial political agenda (see Kopecky, 2011). Eckert (2014:208-2014) also shows how in

Tanzania's post liberation bureaucracy ushered an ideological shift and stance of 'Africanising' the civil service. This came along with the fusing of the party and the state. Similar practices can be found in post-apartheid South Africa when the ANC came into power.

However, in the ANC, deployment can be historically traced back to ANC operations in exile (see Ellis, 2013). The ANC Kabwe Conference (1985) in Zambia, gave birth to the cadre deployment policy as a mechanism of recruiting young party members with skills that could be used in the different facets of the struggle and further into the 'government in waiting' (ibid). Reviewed in 1997 after the liberation struggle, the practice of political deployment continued to be viewed as a legitimate strategy for transforming the former apartheid state (see ANC Deployment Policy, 1997). ANC members are deployed in the higher echelons of the bureaucracy, both in the political and administrative sphere of the state. The ANC viewed it as strategy to strengthen its control over the levers of state decision making powers (Maphai, 1992).

Although the ANC argues for the continuation of deployment, this practice however overtime has been rigged with patronage, irregular and quasi-deployment. ANC members are deployed into the municipal administration without the requisite management, administrative and technical skills, which have contributed to most municipalities' inability to implement its developmental mandate (also see Booysen, 2015; Cameron, 2010; De Visser, 2010; Maserumule, 2014; Mashele and Qobo, 2014). As we will also see in this chapter, ANC councillors and SAMWU union members at Kalahari Municipality are beginning to criticise patronage and the nepotistic deployment of ANC members without qualifications or skills. They do so by critically reflecting on how these practice have contributed to the dire capacity constraints of workers in the administrative sphere of Kalahari Municipality. Although ANC councillors understand the rationale and the political context behind cadre deployment during the early years of post-apartheid in South Africa, they also feel that ANC members and party officials are resisting what might be coined as 'modern' political changes, viewed by councillors as ANC members as necessary changes that need to be implemented for the achieving a 'development state'. One councillor echoed this critical view:

Our leadership [ANC regional party officials] has turned local government into a dumping ground for unqualified and uneducated people. They get deployed into the administration and political offices and they don't even have a basic education yet they are getting big salaries. They can't even do the jobs they have been appointed to do because they don't have the necessary skills. And now we are sitting with this problem and have to clean the mess and make things work with what we have. (Informal discussion with Councillor Modimole, 19 July 2015)

Another councillor also echoed a similar view:

The transformation agenda was necessary at the time in 1994 [referring to deployment and affirmative action during the formative years of democracy]. Comrades in our branches want deployment but they don't want to go to school. They don't realise that times have changed; we are now operating in a modern era that needs cadres who are better equipped to serve the Movement in government. Comrades don't understand that they have to go to school and get the skills and qualifications. (Interview with Councillor Lenkwe, 21 July 2015).

The chairperson heading the Corporate Services and Human Resources Committee indicated that there were 'employees occupying positions that they were not qualified for, blocking qualified people from being absorbed into those positions because they do not want to be placed elsewhere' (Interview with councillor Lenkwe, 12 May 2015). The problem of irregular and quasi-deployments, and the emphasis on supplementing the deployment of ANC members into the state organs with professional, educational and competency values, was also reiterated by the Secretary General of the ANC, Gwede Mantashe, in his brief ANC National Working Committee (NWC) regional visit to the Northern Cape Province:

We took a resolution in the 2012 ANC Mangaung National Conference that as part of Organisational Renewal, we need to start deploying comrades according to their capacity. You cannot deploy a comrade who is a school teacher into a municipal manager or chief financial officer's position. There are comrades who are being deployed into these positions without even a tertiary qualification. That's why municipalities continue to fail to deliver services and produce all these disclaimers and qualified audits. You [referring to ANC regional party officials] as the leadership of the ANC have to deploy qualified managers into their rightful positions where they will serve to their fullest capacity. That is how we are going to build state capacity. (Speech delivered by ANC Secretary General, Gwede Mantashe, 22 October 2014)

The organisational renewal that the ANC Secretary General is referring to is part of the ANC's 2012 Policy Conference resolution, where the conference identified the 'lack of discipline, factionalism, opportunism, and careerism' amongst its members as a challenge eroding the party's organisational governance and ANC membership integrity (see ANC Organisation Renewal, 2012:29). Therefore, prioritisation of ANC cadre development through attainment of ideological training, education and competency requirements was viewed as one of the pillars of reinventing the ANC in the post-liberation era and

strengthening its long standing cadre development policy (Brook-Yung, 2014:149). The views shared by the ANC Secretary General also show that there is a general problem in the ANC 'cadre deployment' policy in local government. However, on the other hand his statement implies that the ANC national party vehemently believes that supplementing the state's developmental state agenda with capacity building, with the deployment of skilled and competent ANC cadres into 'strategic' or 'influential' positions of power in the state apparatus, should remain a priority. Evidence presented in this chapter suggests a polarisation of what the ANC national party seeks to achieve as opposed to the reality and practices of ANC regional party structures on the ground. To a certain extent it can be argued that the concept of ANC 'strategic deployment' is being questioned by its own councillors through their observation of the proliferation of appointment of less skilled ANC members into both 'strategic' and 'non-strategic' positions in municipalities.

In an interview, one senior manager went on to provide a compelling insight of her own personal experience of how she was marginalised by the ANC regional party structure in favour of a less qualified and less experienced ANC branch member working in the municipality:

Let me give you a personal example. I was acting as a director for 4 years. When the post was finally advertised, I then submitted an application along with other applicants. Although I did not see the outcome of my interview compared to other applicants, my seniors [municipal manager and mayor] informed me informally that I was the best candidate because of my extensive experience serving the municipality and qualifications. Although the recommendation to appoint senior managers [senior managers directly reporting to the municipal manager] are sent to council, in practice they are sent to the ANC regional deployment committee first for their approval. So what happened at the time, there was a particular person whose contract had ended here in the municipality. That person was a chairperson of a particular ANC branch here at Kalahari. That person was unemployed and he had a close relationship with the ANC regional leadership. The ANC regional leadership wanted the MM [municipal manager] and the former mayor to recommend his appointment to council. There was a bit of a disagreement between the ANC region, the mayor and MM [municipal manager] because the MM [municipal manager] and mayor felt that he did not meet the job requirements. The ANC regional leadership was adamant that they wanted no one else except that person, irrespective of him not qualifying. I got a call from the MM [municipal manager]. When I went to see him in his office; I could see it in his face that he was not happy that day. He said to me, Linda, the mayor [former] and I were called at the ANC regional offices and we have been given instructions that by next week, this person should be here and we should end your acting contract as soon as possible. I was fairly disappointed of course but I accepted the outcome because I knew what was happening all along behind the scenes. At sometimes when things like these happen, you get de-motivated and you start questioning the real objective of the ANC deployment processes (Interview with Legal Services Senior Manager, 17 August 2015).

This example further provides an insightful illustration of the political contradictions arising as a result of the ANC's practice of assuming political authority over local



government processes of recruitment and appointment of staff. Firstly, it is worthwhile to note that similarly to chapter 3, this chapter presents yet another incidence of external ANC regional party interference and control over executive decisions relating to local government employment. This relates to the ANC party and state parallel processes of decision-making, where executive and council decisions to appoint municipal employees are also taken externally in ANC party regional structures while observing the legal bureaucratic processes of recruitment. The influence of decisions relating to the appointment of municipal employees is reinforced by the partisan relationship between ANC regional party officials, senior managers and junior administrators under the guise of cadre deployment.

Secondly, the personal experience recited by the senior manager shows how the relationship between local government and the ANC regional party is to a large extent superseded by sectional individual interests of ANC politicians rather than the ANC's pronounced interests of 'organisational renewal and cadre development' – or even the NDP's (2012) aspirations of 'building a developmental state'. One councillor articulates this practice as 'ANC regional party structures view the local government state institution as a personal domain', where political influence over municipal processes is exercised using political authority to pressurise municipal political office-bearers and administration into implementing decisions influenced by political sectional interests of ANC regional party officials (Interview with councillor Peterson, 15 July 2015).

Thirdly, the political ties and partisan relationship between bureaucrats and ANC regional party officials play a key role in the appointment of bureaucrats at local government. This example also provides an insight to how nepotistic appointments contribute towards the subversion of the competency and professional values advocated by the NDP (2012) agenda as expected to be implemented by the municipalities. All this contributes to the low morale of senior managers who are considered to have the experience and knowledge in their areas of work. Although we are seeing the ANC party and state conflation contours playing out at a local level in different levels of the municipal organisation, this corroborates with the claims made by authors such as Booysen (2015:29) that the 'ANC party deploys influential positions to individuals with questionable professional records, knowing that these individuals would be dependent on their political principals to be retained and rewarded'.

### *6.3.1 Restructuring the Organisation and Building Bureaucratic Capacity*

It is within the aforementioned political challenges of the ANC deployment and lack of administrative capacity - especially at lower levels of the administration - that Kalahari Municipality had to carefully consider in its capacity building agenda. Over and above the political dynamics at senior management level, the Kalahari Municipality Situational Analysis Report (2009:2) identified issues related to administrative inefficiencies at lower staff levels resulting from unskilled workers; poor work ethics; redundant employees and over-staffing with low skilled workers, as part of a much broader organisational governance problem. In an interview with the municipal manager, he stated that when he assumed office in 2009, the municipality had 2,139 employees, of which 1,500 were employed as permanent employees. Approximately 500 employees were working on a contract basis while the rest of the municipal positions were left vacant for more than 10 years in the organogram. Out of the 500 contract workers, 269 employees were meant to be absorbed as permanent employees (Interview with municipal manager, 19 January 2015). Although the number of unskilled workers was recorded as the highest in the organogram, due to inconsistency of data and absence of categorisation of employees according to skills groups, it was difficult to establish the actual percentage of skilled and unskilled workers in the municipality.

The municipal manager also shared another complication of having to incorporate another small municipality into Kalahari Municipality before the 2011 local government elections. This expansion meant that the municipality moved from a medium to a high capacity municipality with a larger population to service. Therefore the acquisition of more employees to service a larger municipal area and population was done on a contract basis, meaning that contract workers were not formally part of the organisational structure as permanent employees (Interview with municipal manager, 19 January 2015). Paying contract workers also came with a high cost compared to absorption of workers as permanent workers. According to one of the senior managers, after the expansion of the municipality there was a lot of pressure from National Treasury to improve the infrastructure development of the municipality and therefore the old organogram was regarded as 'incapable' of meeting the growing infrastructure needs of a larger municipal population (Interview with the Finance Director, 7 August 2015).

The expansion of the municipality was also followed by numerous municipal union protests during the period of 2008/9. The municipal union demanded contract workers to be absorbed as permanent employees of the municipality. In order to restore order and stability in an attempt end municipal union protests, the management team establish reached an agreement with the municipal union of no termination of contract workers and a process of gradual absorption of at least 269 long serving contract workers (Interview with the municipal manager, 19 January 2015). In the process of absorbing the 269 employees, the municipality could not proceed with the rest of the workers due to the introduction National Treasury (NT) competency regulations that required employees to demonstrate competencies, skills and educational training as part of the job requirement employment.

The municipal manager explained that the municipality was faced with a legal dilemma of having employees in the system without designated positions and job descriptions on the existing organogram. He went on to say that employees were unable to meet the skills and job requirements, whilst there were expectations of the absorption of workers as per the signed agreement. Moreover, the refusal of employees to leave the municipal organisation once their contracts had come to an end further bloated the administration. Another senior manager responsible for human resources (HR) shared her views on the difficulties of having to absorb unskilled workers under the new NT competency regulations:

When you analyse the contract workers' skills, the majority are low and unskilled workers. In terms of what the organogram intends to achieve from an administrative point of view, the majority of contract workers will not assist us to address the need of getting more technically skilled workers that we require. We also have a high number of aged staff members amongst the category of general workers [unskilled workers]. For example, older workers can't dig graves in cemeteries anymore because it requires manual hard labour. They are no longer fully functional. Even contract workers who came into the organisation for only a short period of 3-6 months to temporally relieve employees on sick leave or maternity leave did not want to leave after the contract ended. Hence we are now sitting with an issue of excess labour, especially amongst general workers. There is an offer on the table of early retirement packages. But the union is refusing to negotiate because they are holding onto the agreement made by the MM [municipal manager] that contracts will not be terminated until people are absorbed. (Interview with Human Resources Director, 18 August 2015)

This does not only illustrate an unintended consequence of taking a decision not to terminate contracts in order to appease a volatile situation between the municipality and the municipal union, but also the expectations created by the former executive committee for workers to automatically become part of the municipal institution. The looming 31%

high unemployment rate at Kalahari Municipality may have also had the likelihood of further aggravating employee insecurities and refusal to leave the municipal organisation due to uncertainties of obtaining employment elsewhere once they are out of the municipal system. With the pressure from the national government to beef up its municipal administration with technically skilled workers in order to resolve the issues of having a 'bloated' unskilled administration, the current executive committee that came into office in December 2013 viewed the organogram as an effective alternative solution to re-structure the organisation by placing employees into positions according the organisational needs, while simultaneously spearheading the process of dismissing unskilled and redundant workers.

The National Treasury and the Department of Public Service and Administration (DPSA), which is responsible for the development of public service employment policies and legislation, provides a guideline and process manual on how to develop an organogram. This document highlights a fundamental principle on organisational design stressing a shift from 'fat to lean' in the new process of staffing (DPSA, 2010:3-7). It also highlights that the executive committee/council, staff, trade unions, and managers must be consulted during the organogram development process (ibid). The intricacies of political intervention are often masked in mundane budgetary issues, a case in point being that of the organogram. This was highlighted by the Human Resources Director, that issue of whether the development of a new organogram should be done internally by the organisation itself, or outsourced to an impartial organisation that specialises in organisational development and change management which will abide to DPSA regulations (Interview with Human Resources Director, 18 August 2015).

The issue of whether it would have been more 'strategic' to outsource the development of the organogram in order to avoid the political conflict and sectional interests, was an issue raised by the directorate that was responsible for developing coordinating and drafting the organogram (ibid). The Human Resources Director also pointed to practice that few state organisations possess the internal capacity to undertake such a complex task. She also suggested that that national government preferred the option of outsourcing, of which this is highlighted as a commendable option in the DPSA document which states that, 'the assignment of developing an organogram should be outsourced from to a professional, objective and independent organisation that will guarantee compliance to the

requirements of the DPSA' (DPSA, 2010:3-7). In her opinion, the recommendation of outsourcing was not well received by councillors and therefore rejected it. According to her some councillors and ANC regional party officials viewed it as an obstruction in pushing their personal agendas through an outsourced service', taking into account that in-sourcing would provide convenient pathways for political manipulation of the ultimate employment process (ibid). In her view, it did not come as a surprise that the municipality decided to in-source instead of out-sourcing the organisational design based on the justified reason of 'avoiding further expenditure' (ibid). However, the mayor had a different view to the senior manager. He stated that when he further made his own enquiries into the HR professional company recommended by the administration to assist in developing the organogram, he had discovered that individuals working in that company were linked to some of the senior managers working at HR. He therefore declined this recommendation because he questioned the impartiality and conflict of interest that would have had future implications should it be established that managers were standing to indirectly benefit from the payment of these services (Interview with the mayor, 23 July 2015).

## **5.5 Unemployment and Poverty: The Complexity of Building State Capacity**

### *5.5.3 Consequences of the Expanded Public Works Programme*

Altman (2013:185) reminds us the struggle for employment creation in South Africa, owed to the apartheid regime exclusionary policies, led to many years of slow economic growth and employment stagnation. While economic growth between 1992 -1997 grew, the global economic crisis in 2008 contributed to the dire of unemployment which South Africa is struggling to recover from. Kalahari Municipality had an unemployment rate of 31% above the national unemployment rate of 24% (41% being youth) of the population with less than a formal secondary school education and only 10% had a higher education (Kalahari Municipality Annual Report, 2014:3-15). With the current high unemployment crisis and an unresponsive economy in South African, authors argue that the ANC government has not been able to achieve its 'economic transformation agenda' of becoming a developmental state (see Booysen, 2015; Calland, 2013; Gumede, 2016; Fine, 2010). Responding to the rise of unemployment and poverty, the ANC national government developed a short-term quasi-employment and poverty relief programme

(Gumede, 2016:43) called the Expanded Public Works Programme (EPWP) and Community Works Programme (CWP). Local municipalities were expected to play a central coordinating role for national and provincial government by adopting these programmes and facilitating the provision of local labour.

It was stated in the local Kalahari Daily Mail (2015:5) newspaper that Kalahari Municipality employed around 600 workers every month at an average cost of R1.1 million (£65 300) per month. The total average costs of the EPWP programme were estimated at around R14 million (£838 323) from municipal funds, which are later to be claimed back from the Provincial Department of Public Works. The EPWP programme was a labour intensive project entailing cleaning up of city parks and open spaces. The project also used the outsourcing of vehicles and cleaning equipment from service providers to transport the waste as a way of creating private sector jobs through procurement of services. Project workers were selected from the 32 municipal wards at Kalahari Municipality. Ward councillors and their ward committees played key role in the selection of community members to participate in the programme. Councillors were expected to submit 15-20 people from their wards using the indigent household list of unemployed people in each ward. Although the conflict over access to state resources and public goods amongst councillors, citizens and ANC branch members has been noted in other studies emanating from the aforementioned programmes (see Beresford, 2015; Dawson, 2014), there was conflict pertaining the selection process recorded by the researcher in Kalahari Municipality. Instead, councillors were complaining that some community members were reluctant to enrol for the programme due to the low wages offered by EPWP programme (Focus group notes with ANC ward councillors, 15 July 2015).

Although the EPWP programme was viewed by national government as an intervention for short-term poverty alleviation and employment creation, the programme also contributed to the municipality's problem of increasing the number of unskilled labour, which in turn increased the financial budget expenditure costs on human resources. In one of the executive committee meetings that I observed, the mayor noted that the quantity of excess labour monitored on a quarterly basis was increasing instead of decreasing. During the first quarter of April 2015, the report submitted to the mayor indicated a 42% financial expenditure towards labour, which was higher than the initial 40% from the previous

quarter in 2014. The mayor suggested that this increase was indicative of a weak HR and Finance monitoring system, where financial costs and the appointment of contract workers were not properly tracked and contracts were not being terminated once the contract period had expired (Observation of the Executive Committee meeting, 22 April 2015). Moreover, the municipal manager during the meeting also highlighted another problem, one which had negatively affected the process of decreasing the size of contract workers and resources allocated for service delivery. He stated that:

Beyond and above the current problem of contract workers who have been on our payroll for years, the EPWP contract workers want to be absorbed too. As the administration, we end up using service delivery money to pay contract workers and EPWP workers. (Municipal Manager, Observation of the Executive Committee Meeting 22 April 2015).

This also explains how this programme has affected resource allocation towards the delivery of services by the municipality in an attempt to keep contract and EPWP workers on the payroll of the municipality. The programme was also creating expectations for EPWP workers to be employed by the municipality once their contracts ended, which further increased the size of the bureaucracy. During the meeting, the mayor also made another observation, stating that he had been studying the quarterly reports submitted by the management team and discovered that additional workers (approximately 170) were now employed in the municipality during the period when council had taken the decision to put a moratorium on employing more workers until the proposed new organogram was finalised.

The executive committee members expressed their disappointment with the senior management's failure to abide by a council decision to not employ more workers. Demonstrating his irritation and frustration over senior managers' constant defiance and transgressions against council decisions, the mayor was constantly pointing at senior managers while he read out the correspondence between his office and the provincial department of local government with precision and subtle anger in his voice. This indicated that he came prepared, carrying his 'piece of evidence' of the agreements between the provincial department and the mayor regarding council's decision to place a moratorium on the employment of workers whilst pursuing the restructuring of the municipality. According to the mayor, this proved that senior managers had come to



contravene an executive and council decision. Below is a short demonstration of the mayor's irritation and anger he demonstrated during the meeting:

This is a letter that I wrote to the MEC of COGHTA [provincial department of local government] in December 2013... [He held up the letter to show everyone in the room and then began to read the contents]. Now you [pointing to senior managers] tell me, how did we move from 260 to 430 contract workers in our system? This letter serves as evidence of a decision taken when I came into office that we [executive committee] will not employ any more workers. Maybe the MM [municipal manager] as the accounting officer should tell us if he is the one who signed the appointment of all these extra people we are now seeing in the system. (Mayor, Observation of the Executive Committee, 23 April 2015).

When the mayor had finished reading the letter, there was complete silence in the room. The room was filled with tension and there was no immediate response from any of the senior managers. Seeing that there was no effort made to respond and explain the reasons for the transgression, the mayor, supported by other councillors, concluded by saying that he had no choice but to set up an independent committee to officially investigate the matter and establish which senior manager had made the appointments during the period of the moratorium (Mayor, Observation of the Executive Committee, 23 April 2015). When I did a post-script follow up on the investigation in December 2016, it was later alleged that the majority of irregularly appointed workers were appointed in the Community Services Department. The Community Services Director had made irregular appointments of an additional 170 workers without the knowledge of the executive committee and the municipal manager.

Councillors were able to corroborate these appointments with the director's abuse of his administrative powers where he had provided work for fellow ANC branch members in return for political favours and his support as cited in chapter 3 (Focus group with ANC councillors, 4 February 2016). One of the senior managers revealed how there were internal conflicts between the Human Resources Department and the Community Services Department. According to the officials, the Community Services Director had instructed officials from the Human Resources department to make irregular appointments and demanded staff members to be shifted to other departments and paid additional employees from budget votes which were not aligned with his department financial resources (Informal discussion with Manager Legal Services, 26 February 2016).

In the process of these irregular activities, the Community Services Director misled the executive committee and then attempted to shift the blame to the Human Resources Department. Officials from the Human Resources Department were able submit evidence to the special committee appointed to investigate the matter, illustrating that they had put on record through a series of written emails to the Community Services Director indicating the irregularities of his actions (Informal discussion HR Director, 26 February 2016). This incident indicates the controversial consequences of the EPWP programme, which has been used as a means of distributing jobs and resources to ANC affiliated community members. It demonstrates how the struggle for access to state employment at local government has increasingly become a characteristic of the South Africa's economic struggle (see Beresford, 2015).

Although it has been noted by other scholars that municipal projects have been used to distribute state resources to clients by councillors (see Beresford, 2015; Dawson, 2014), this provides further evidence of how the EPWP programme is also used by senior managers as a tool to distribute jobs through patronage. Senior managers, who have direct access to resources and administrative power to distribute state resources, use the EPWP programme to strengthen their political relations with ANC branch members and party officials without the knowledge of the executive committee. This elucidates a patron-client relationship between senior managers and ANC branch party officials, where both ANC regional and branch party officials play a role in influencing state actors in securing state employment and appointing branch members who are unskilled job seekers, using their political connections to ANC party officials.

#### *5.5.4 Skills Development and The Challenges of Reconciling Skills Mismatch*

In terms of understanding how the municipality had responded to the NT Competency Regulations (2007) in ensuring that employees had the skills and competency required before appointing them as permanent employees. The municipality has work skills development plan that focuses on upgrading skills of existing municipal employees already in the municipal organisation. Only a total number 472 out of 2,139 (20%) workers benefited from the Municipal External Capacity Development and Skills Development Training Programmes (see Kalahari Municipality Annual Report, 2014).

Out of the total intended budget of R2 690 008 million (£161 078), only R338 629 (£20 277), which means 12.5% of the total budget was spent on skills development (ibid).

This above poor uptake of skills development by municipal employees is indicative of a very poor spending pattern. One of the challenges cited in the annual report (2014) was that the Local Government Sector Education and Training Authority (LGSETA) was not effectively coordinated in terms of making payments to the municipality for employees to enrol for training programmes. Although the municipality cites this as a challenge in their report, during executive committee meeting that I observed which was held on the 21st of January 2015, the municipal manager revealed that workers simply refused to enrol for skills development programmes and some of the funds were therefore channelled and used for service delivery. This is what the municipal manager expressed during that meeting:

For example we had eight workers in the water department who had the experience because they have been working there for years, but did not meet the job requirements in terms of their qualifications. We agreed to take them through training. Again half of them didn't want to go for training. They felt entitled to their jobs. So we spoke with the National Department of Water Affairs and they gave us enough money to absorb them. But this is not the only problem. The money that is also allocated to skills development, which is not used, is also channelled to various service delivery needs. (Municipal manager, Observation of the Executive Committee, 21 January 2015)

He further stated that in order avoid this resistance from workers to upgrade their skills, the following measures were taken:

What we decided to do to prevent such problems in the future is that we wrote letters to contract workers, informing them that their posts will be advertised in due course, giving them enough time to go for skills training and qualifications upgrading. We indicated in the letter that if they do not meet the requirements by the time we advertised the post, we will terminate their contracts. That's the only way we were going to force workers to upgrade their skills and education levels. (Municipal Manager, Observation of the Executive Committee, 21 January 2015).

While there is an urgent need to improve employee skills through the skills development programmes, this process is met with resistance from workers who are already in the municipal organisation. On the other hand, whilst government continues to spend approximately 18% of its national budget on Basic and Higher Education, including the Sector Education and Training Authorities (SETA) that play a critical role in building public sector skills, the uptake of skills development programmes is met with resistance and complacency from unskilled workers who feel 'entitled' to government jobs.

The non-spending of resources allocated to skills development reflected in the municipal annual report of 2014 and the practice of channelling these resources into activities other than skills development prevents the municipality from achieving the overall state objective of building state capacity. This also resonates with the South African National Government Twenty Year Review Report (2014:56), where it was stated that some public sector national departments were not able to ‘appropriately utilise the funds for skills development.’ Although the above problems highlighted by the municipal manager framed the problems experienced in addressing the issue of building state capacity brought by NT competency regulations (2007), councillors were adamant that the new proposed organogram would provide a tenable solution to address these challenges. This brings us to the next issue, relating to the dilemma and pressure from the municipal union of retaining unskilled workers under the reform agenda of reducing the number of unskilled and unproductive workers.

#### *5.5.5 Indecisiveness, Political Pressure and ‘Fear’ of Taking Unpopular Decisions*

On the 16th of January 2015, the Corporate Services Director presented the reviewed and proposed new organogram to the management team before presenting it to councillors in the executive committee. In order to further understand how council decisions were processed by the senior management team, I sat as an observer in the management team meeting before the proposed new organogram was presented in the executive committee meeting. There was a debate between the municipal manager and his senior managers around the contentious issue of the new organogram. The management team reflected on the technical and legislative processes they had to comply with versus the non-cooperation of the municipal unions and their members from adopting private sector methods in reducing the size of an organisation. The municipal manager reflected on the public service practice of designing an organogram without a budget, which placed financial pressure on the municipality. This argument was juxtaposed with private sector practices, where an organogram is designed on the basis of an available budget and therefore positions are created according to the financial and organizational skills needs (Municipal Manager, Management Team Observation, 16 January 2015).

When they assessed the organogram which they wanted to present to the executive and council, the municipal manager concluded that it was ‘financially unrealistic’ as it would require an additional R176 million (£10 538 922) above the current cost of R529 million (£31 676 646) to fill in the high-skilled vacant and newly created positions. Moreover, senior managers were faced with the dilemma of reducing the high number of low-skilled employees and replacing them with technically skills and professionals in the middle and higher management levels of the municipal administration. The management team viewed this proposal problematic because it received resistance from the municipal union that was keen in protecting their members (unskilled workers) from losing their jobs. During the meeting, the municipal manager posed this question to his team:

How do we get rid of non-core actors and redundant posts, in an environment where the public sector is averse to letting go of redundant positions? Unlike in the private sector where there is decommissioning of positions when the institution is no longer financially viable, they are able to take tough decisions. In the public sector, how do we do this without facing pressure from the trade union and politicians? We know that we cannot say it out right that we don’t need them [unskilled general workers] and therefore we must let them go. Such a recommendation will not sit well with the union and councillors. But keeping them on-board also adds financial costs the municipality and service delivery is hampered because they can’t do their job. (Municipal Manager, Observation of Senior Management Team, 19 January 2015)

The observation made by the municipal manager latter response illustrates that there is a ‘fear’ of taking decisions by the management team, which may be viewed as politically unpopular by councillors. It also highlights the insurmountable pressure that senior managers face from ANC councillors and municipal union from behind the scenes with regards to meeting the agenda and appeasing their political masters and municipal union. Senior managers feel compelled to forging ahead with the more popular political decision of retaining redundant workers and abandoning the overall executive committee agenda of retrenching workers. The distinction between private and public sector practices, and emphasising the difference in public service culture and practice, highlights a glaring contradiction with regards to the adoption of private sector models in the running the state that were introduced with public sector reforms under the New Public Management.

Evidence also suggests that the NT’s Minimum Competency Level Regulations implemented in 2007 were not fully embraced by the municipal union, who according to the municipal manager were of the view that all contract workers should be absorbed in the organisation irrespective of the compliance with the regulations. This was one of the issues identified by the senior management team that made the municipal union resistant

in engaging with the management team on the proposed new organogram. The response below demonstrates the added frustrations experienced by the municipal manager as an accounting officer who is obliged to implement decisions within the boundaries of legislation:

At first there was no problem with the first absorption of 260 contract workers. But then the law changed in 2007 [minimum competency regulations] and stipulated that you must meet the requirements of the post before absorption. For example, I cannot take a grass cutter and put him in a plumbing position. Yes, we need more plumbers and engineers but there are people in the maintenance unit who do not have these skills and we could not automatically absorb workers because the law [minimum competency regulations] does not allow us to do so. On the other hand we cannot chase them away because they have labour rights and the trade unions are protecting them. But I have picked up that they [municipal union] are only concerned with whether contract workers will be absorbed without deliberating on what's contained in the organogram and why it has been designed in such a manner before opposing it. Hence we are meeting resistance from the trade union and employees. (Interview with the Municipal Manager, 14 January 2015)

Another senior manager shared this view:

Some of the union members run to ANC councillors with the motive of lobbying councillors to support their agenda of absorption of contract workers. Hence some councillors are not responding positively to the suggestion that we made in the Corporate Services Committee of laying off workers. (Corporate Service Director, 14 January 2015)

Firstly, against the backdrop of eradicating labour exploitation and economic exclusion enforced by the apartheid state, South Africa is rated as one of the most advanced countries in labour regulations in that the trade unions have made significant contribution to the process of policy formulation post-1994 (Southall and Webster, 2010). Thus public and private sector organisations have to operate within a tightly regulated labour environment. This means that organisations have to observe stringent labour laws that protect the interests of workers and that are against the exploitation and unfair dismissal of workers. This makes it difficult for organisations to dismiss employees without facing resistance from the trade unions. Also, labour movements in Africa generally enjoy a position of influence as alliance members of the liberation parties due to their long-standing historical connection and solidarity with post-liberation parties like the ANC in the struggle for national liberation (Buhlungu, 2010).

SAMWU, as a COSATU affiliated trade union, has a strong strategic alliance partnership with the ANC at local government level in South Africa because of the political support it consistently throws behind the ANC during local government elections. These connections are vested in interests of influencing and lobbying the ANC ruling party's policy decisions in the reconstruction and development of the state (Buhlungu, 2010).

Hence some senior managers alluded to the behaviour of union members and contract workers who were running to ANC councillors to lobby for their support in the agenda of absorbing workers, and in return ANC councillors would find themselves representing the interests of the union rather than the executive committee and management (Municipal Manager, Observation of the executive committee, 21 January 2015).

This sympathetic behaviour towards the municipal union demonstrated by ANC councillors is also influenced by their former professional background of being union activists and shop stewards in their various places of employment before assuming political office as elected ANC councillors. During the informal discussions I had with most ANC male councillors in the initial stages of the fieldwork, they indicated that they had once been COSATU shop stewards and active ANC members in their branches. Beresford (2011: 200-201) in his study on the relationship between the ANC and the COSATU/NUM alliance in post-apartheid South Africa noted that COSATU affiliated members were encouraged to actively participate as members in ANC structures and there was also an expectation that union members would automatically be members and supporters of the ANC in order to have influence and represent the interests of the working class within the party domain. ANC councillors highlighted the significant role of being able to merge socially deprived community issues and working class struggles as an important feature within their leadership role that helped them transcend into ANC branch leadership structures and take up political office as councillors (Field notes, Kalahari Municipality, October 2014). This corroborates Buhlungu's (2010:143) observation that belonging to a trade union offered opportunities for political upward mobility into the ranks of the union or the ANC.

While trade unions may be viewed as less independent and autonomous due to the assumption that post-liberation unions were co-opted and captured into the party-state agenda (Buhlungu, 2010, Southall, 2008), nonetheless unions such as SAMWU continue to be extremely vocal and critical against ANC ruling party decisions within the alliance nexus (Beresford, 2011). Union strikes were used as a coercive bargaining tool with the state. Secondly, it illustrates that whilst local government officials and councillors are compelled to comply with national government regulations, the politics of local government in the context of which these reforms are imposed, makes it difficult for them to take 'unpopular' decisions that should be informed by principles of financial austerity



and efficiency underpinned by the New Public Management. This means that on the one hand, while the New Public Management model that is viewed as an ideal and effective means of running the state, on the other hand state actors continue to view the state as what Fenwick and McMillan (2010:13) describe as a ‘life-time employment’ where there is an expectation that the state provides a safety net and employment security.

Notwithstanding these dynamics ANC between councillors and their SAMWU alliance municipal union partner, the senior management team presented the proposed new organogram with the financial estimates to the executive committee on the 21st of January 2015. Firstly, the presentation of the proposed new organogram identified administrative and technical professional skills needed by the municipality. Secondly, it proposed for the abolishment of existing redundant positions. Thirdly, the presentation demonstrated how the newly developed positions in the administration were informed by a needs analysis the management team has conducted. The newly developed organogram was termed an ‘ideal organogram’ because it was still at a proposal stage and there were no resources made available to fill in the newly created positions. These positions were developed based on the understanding that the new organogram would be incrementally populated with employees over time as and when more resources were secured.

However, the organogram presentation did not directly talk to the unfinished process of absorbing contract workers or offering retirement packages to redundant and unskilled workers. The current number of employees stood at 2 145, which includes contract workers. With the abolishment of redundant posts, filling in of vacant existing posts and the creation of new technical and professional posts, the proposed ‘ideal organogram’ pushed this number to 2,391. It was indicated that the total cost of the ‘ideal organogram’ would be R705 672 466 million (£42 255 836) – above the current cost of the R569 million (£31 676 646) financial expenditure. The Community Service and Infrastructure Departments were identified as the main departments to get the majority of additional employees.

The thorny question of how the management team was planning to reduce the size of unskilled and redundant workers at the bottom of the organogram in order to make way for appointing technically skilled and professionals arose during the meeting. Senior managers were unable to give a precise answer, which further led the mayor to ask, ‘why

are managers fearful of proposing exit strategies and retirement packages to the municipal union?’ (Mayor, Observation of the executive committee meeting, 21 January 2015). The mayor further asked if whether the municipal union was consulted and what was their position on the proposed new organogram. In response to this question, the municipal manager indicated that they had not consulted with the municipal union because SAMWU elected officials refused to engage with management team until the chairperson of the Local Labour Forum (LLF) had been changed. As a result of this disagreement, the management team out of anger walked out on a very confrontational meeting with the municipal union without engaging on the presentation (Municipal Manager, Observation of the executive committee, 21 January 2015).

The mayor was concerned that the management team had brought the new organogram to the executive committee and was proposing for it to be presented to council for adoption without holding a consultation meeting with the municipal union in order to get their inputs. This led to a debate between the mayor and municipal manager who had different views about the processes that had to be followed. The municipal manager defensively maintained that he had followed all the correct bureaucratic processes and his concern was the pressure to meet the NT deadlines. In the municipal manager’s view, according to NT regulations, the new organogram had to be presented and adopted by council within 12 months after the organisational restructuring process had begun. On the other hand the mayor was more concerned that the municipal manager was disregarding the basic legislative requirements of the negotiation process, which would result in the likelihood of flouting the organisational restructuring procedure.

This was the dialogue between the mayor and the municipal manager:

As management, we have met and tried to talk to the trade union. But the trade union had its own political agenda. They wanted to talk about the election of the LLF chairperson. That meeting degenerated and they did not want to cooperate. We tried to have another meeting but they refused to participate and missed out on an opportunity of constructively engaging with us. By law, the MM [municipal manager] is obligated to table the new organogram by the 15th of January and we are already behind the deadline. I have met this obligation and tried to engage the municipal union and I fulfilled my duties. (Municipal Manager, Observation of the Executive Committee Meeting, 21 January 2016)

The mayor expressed his displeasure to this response:

My major concern as a politician is that this matter was not discussed at all in a consultation meeting with the municipal union. If they take us to court and the court asks, 'did you consult the union on the organogram as part of council bargaining processes?' And then we say, 'no we didn't discuss it, we were fed up with the union because they had they wanted other issues on the agenda.' What is that? No. No. No. We should not entertain emotions and personality conflicts. We should entertain strategic approaches and processes in order to deal with the matter. At the end of the day, we as councillors need to adopt the funding model of the new organogram. So go back to the leadership of the union because we need them. If a need should arise for me to be there, I will be there. (Mayor, Observation of the Executive Committee, 21 January 2016).

This elucidates the different process concerns between the administration and councillors, where senior managers are more concerned about complying with laws and regulations set by national government, which in reality come into conflict with the prolonged political process of negotiations and consensus with the interested and affected stakeholders. Once again, this demonstrates the clash and differences between political and administrative rationale between politicians and administrators in decision-making processes. The constrained and hostile relationship between the municipal union and senior management adds to the management team's reluctance to pursue engagements with the municipal union. Irrespective of the management's inertia to comply with the NT's legislative requirements, the executive committee insisted that they should hold another meeting with the municipal union in the Local Labour Forum (LLF), where other non-executive councillors would be present in order facilitate and moderate a more constructive engagement on the matter and ensure avoiding further litigations.

#### *5.5.6 The Union vs Management*

On the 23<sup>rd</sup> of January 2015, I sat as an observer in a Local Labour Forum (LLF) meeting that had been re-scheduled as suggested by the mayor. It was attended by SAMWU members, the municipal manager and his senior management team, the speaker, four executive committee members, one DA councillor, and the MPAC chairperson who was asked by the mayor to sit in the meeting on his behalf as he could not attend. In the meeting there were 10 SAMWU members who were seated opposite the councillors and senior managers, emphasising the demarcation between 'us' and 'them'. Although there were cheerful exchanges of pleasantries amongst the councillors and senior managers before the meeting began, in contrast there was no interaction between SAMWU members and the management. Instead SAMWU members were having an informal 'caucus' amongst themselves while waiting for the meeting the start.

The meeting began at 10:15am. The LLF chairperson, councillor Lenkwe chaired the meeting. The chairperson opened the meeting by welcoming everyone, reading out apologies and then presenting the agenda and purpose of the meeting. Before the adoption of agenda, someone from SAMWU raised the outstanding issue of the election of a new LLF chairperson and suggested that the issue should be included in the agenda before proceeding. This proposal did not sit well with ANC councillors and the senior management team, who insisted that the meeting was not the correct platform to pursue the SAMWU's proposal.

Sixty minutes were spent debating the agenda, with SAMWU refusing to give the senior management team a chance to present the organogram until their demand was accommodated. Although the senior management team avoided getting into a direct confrontation with SAMWU, nevertheless antagonistic emotions and tensions escalated. Posturing and aggression increased and the voices of SAMWU members were raised each time they responded in disagreement with the management team, councillors and the chairperson. SAMWU members consistently raised 'points of order' against ANC councillors and the chairperson, while councillors on the other side were articulating their frustrations with SAMWU's non-cooperation, and stating that they were not going to allow themselves to be 'held at ransom by the union'. As observed by Beresford (2011:213) during the procession of union meetings in his study, the term 'out of order/point of order' was used to distinguish 'acceptable and unacceptable modes of behaviour' during meetings. In the council and committee meeting setting, it was also used as a means of correcting the language and communication posture, and argumentation positions/opinions/inputs that may be deemed offensive or out of sync with the agenda and debate.

During the heated debate I observed that the chairperson, councillor Lenkwe, was struggling to control and mediate the conflict between the management team and SAMWU. Councillor Lenkwe was very soft-spoken and not aggressive in her articulation. This placed her in a disadvantageous position of being dominated by an agitated and aggressive group of SAMWU members throughout the meeting. As the meeting degenerated into chaos and disorder, the speaker raised his voice in an attempt to assert his leadership authority to restore order. Below is an illustration of the argument that erupted between a SAMWU member and the speaker:

The speaker thinks that he can come into an LLF meeting, address us [SAMWU] as if we are councillors in a council meeting. We are not his subordinates. If he continues like this, then he must not speak. He must not speak to us as though we are councillors. You as the chairperson should call him to order. We are shop stewards and we are representing the interest of the workers (SAMWU member, Observation of the LLF meeting, 23 January 2015).

Another ANC councillor raised a point of order and asked the chairperson to tell the SAMWU member to withdraw his statement, in defence of what was viewed as an attack of the speaker by SAMWU. However the SAMWU member who had made the remark refused to withdraw his statement and further shouted that:

I will not withdraw my statement chairperson. I will not withdraw my statement. We are shop stewards and we are representing the interest of the workers and we have the right to raise our issues without intimidation. We will not be intimidated by any councillor to adopt the agenda. (SAMWU Member, Observation of the LLF meeting, 23 January 2015)

The speaker, who then in turn lowered his voice and made an appeal to SAMWU to allow the meeting to proceed, stated that:

This organogram is for the benefit of the workers. As a former shop steward myself, I understand where the union is coming from and we are all here to protect the interest of the workers. I appeal to you let us allow the management teams to make the presentation. (Speaker, Observation of the LLF meeting, 23 January 2015)

The MPAC chairperson tried to calm SAMWU and reason with their demand in order to mediate the confrontation. But both the speaker and the MPAC chairperson's pleas fell on deaf ears as SAMWU refused to go ahead with organogram presentation until their issue with the chairperson was brought onto the agenda. As a demonstration of disapproval and disappointment in the quarrel, the DA councillor who was at the meeting kept on shaking his head until he eventually packed his belongings and left the meeting before it ended. The above confrontational argument between the speaker and SAMWU members illustrates the shift in power relations between ANC councillors and the union. The municipal union is able to use the organogram consultation platform to gain control over the agenda, thus wielding its power over the management team and councillors.

The power struggle and conflict between the SAMWU and ANC councillors/management team also reflected the way in which the organogram consultation process can be used as a bargaining tool. SAMWU through the tactic of non-cooperation wanted to pursue their agenda for the removal of the LLF chairperson by coercing the management team to place

this issue on the agenda in exchange for cooperation on the organogram presentation. However, councillors did not budge to the SAMWU's demands because they also wanted to protect their fellow ANC councillor, councillor Lenkwe, from being unceremoniously removed from her position as the LLF chairperson by SAMWU. The speaker indicated that if SAMWU wanted to remove the chairperson, they would have to do so within the local alliance structures between SAMWU and the ANC regional party structure. Indeed, the meeting had come to a stalemate after the 2 hour tussle, and the MPAC chairperson suggested that the ANC should caucus for a way forward. Whilst waiting for the ANC councillors to conclude their 10-minute caucus which was held in a private boardroom outside of the council chambers, SAMWU remained behind in the council chambers and continued to vent out their displeasure with the management team and ANC councillors. They demonstrated this displeasure by loudly passing remarks about how they were not prepared to be 'bullied' by ANC councillors and that they were prepared to '*toi-toi*' (meaning protest in South African local language). When the ANC councillors returned from their caucus, the LLF chairperson passed a ruling based on a unanimous ANC caucus decision that the meeting should be postponed until the issue of chairperson was resolved in another meeting before proceeding.

I conducted a focus group with SAMWU officials who were present at the meeting to get their perspective on the proposed new organogram, and the reasons why they wanted the chairperson to be removed. During the focus group, SAMWU members stated that the chairperson had not been able to 'fairly' and 'objectively' take the views of the municipal union into consideration during her term of office as the LLF chairperson. They further echoed the view that the chairperson held the municipal union 'in contempt' and she had a 'pre-emptive negative attitude' towards the SAMWU. Therefore they had concluded that she could not sustain a 'neutral position' during the proposed organogram deliberations. They also shared their opinion about the speaker whom they described as someone who was trying to wield his power and authority to impose the new organogram onto the municipal union without further deliberations. They were also suspicious that the organogram was infused with political interests and agendas. One of the SAMWU members stated the following:

They did not consult us...this organogram is being used as a tool to leverage political interests of the speaker and certain councillors and ANC politicians [ANC regional party officials] in the

region. There's too much political influence and interference and the chairperson is playing into their hands [ANC regional party officials]. (Focus Group, SAMWU member, 23 January 2016)

SAMWU was suspicious of the intentions behind the new organogram, which they felt was being imposed on them. Although there were differences in the manner in which SAMWU wanted to approach the organogram negotiations, however, they were all in agreement that they would not want to proceed with the negotiations until the chairperson was removed (ibid). In other words, the municipal union suspected that the new organogram was being used as a tool to pursue particularistic interests of certain councillors in collusion with ANC regional party officials. Thus they viewed the LLF chairperson as being manipulated by the ANC regional party leadership to protect and pursue their sectional political interests in the meetings. They also highlighted that the senior management team had a history of undermining the municipal unions and only used them to 'endorse' decisions they already had taken. In principle, all SAMWU members agreed that there had been no proper consultation from the developmental stages of the organogram with the shop stewards in the different units of the organisation. Hence they were apprehensive and resisting any suggestions of proceeding with the final presentation.

Lastly, they determined that they were prepared to 'picket' and only come to the table once the LLF would allow for the election of a new chairperson and proper consultation processes with all shop stewards in the various units would be followed (Focus group with SAMWU members, 23 January 2015). The polarisation characterised by distrust and tensions between the municipal union and senior management team on the issue of absorption of contract workers was embroiled with the union political agenda of removing the LLF chairperson - and ANC councillors caught in between the binary representational role of the municipal union and the municipal organisation.

#### *5.5.7 ANC Councillors vs The Executive Committee*

After the conflict observed between the municipal union, councillors and management team, the presentation of the new organogram to council came to a standstill for about three months. According to the mayor, during that period SAMWU launched a dispute with the local bargaining council. Due to the stale-mate in the negotiations, the mayor claimed that he took it upon himself to initiate and facilitate the negotiations in order



persuade SAMWU to withdraw their dispute and get back onto the negotiation table with the management team and the executive committee (Informal discussion with the mayor, 2 June 2015). As a result of these informal discussions between the mayor and SAMWU elected leaders, the mayor stated that SAMWU withdrew the dispute from the bargaining council and it was recommended that all departments in the municipality from middle managers to the lower level of shop stewards should be consulted and in order to make their inputs and reach consensus before tabling the proposed new organogram to council for approval. An extension for further consultation of the proposed new organogram was granted. That process was expected to unfold before the proposed new organogram was brought to council for approval (ibid).

However, during a council meeting that took place on the 5th of August 2015, the proposed new organogram surfaced as an item under ‘matters arising’ in the council agenda. As a constant observer of council meetings during my fieldwork, on a normal council meeting day the public gallery would be usually empty with two or three journalists from the local newspapers and no more than a handful of members from the public. On three occasions during the fieldwork, I was the only person in the public gallery observing a council meeting. The media would also pitch up at the meeting if there were interesting issues on the agenda for public consumption or during the quarterly budget reviews delivered by the mayor. However, on that particular day, the public gallery was full to capacity with ANC branch members wearing ANC T-shirts, municipal union shop stewards and local journalists. The gallery was buzzing with small conversations and gossip about councillors and others voicing their opinions about the new organogram in whispers. It was clear that the audience’s overwhelming presence in the gallery was centred on the organogram.

The council meeting began with its routine welcoming note delivered by the speaker, followed by announcements made by the ANC chief whip and then outlining the agenda. The general comments from the speaker on how ‘the municipality was making efforts to turn around the municipal organisation’ had set a tone for councillors on what was to be expected in the agenda. The speaker requested the municipal manager to take council through the organogram as agenda item that appeared under ‘matters arising’. The municipal manager gave a brief background of how the idea of developing an organogram had come about. He framed the problem statement around the deficit of the municipal

human resource capacity which did not meet the service delivery needs of the municipality. He sequentially took the councillors through the processes that had unfolded and activities embarked upon by the management team in reviewing and restructuring the organisation, which culminated in a new 'ideal organogram' that the management team proposed to present to council for adoption. Presenting it as an 'overdue process' that needed to be treated with the greatest sense of urgency, the municipal manager also placed an emphasis on the lack of legislative compliance as a result of the overdue time frames that council had not met for the adoption of the organogram.

The municipal manager was careful with his choice of words and often used neutral words such as 'uncomfortable' rather than 'rejected' when referring to the municipal union's position on the proposed new organogram when explaining how the consultation processes had unfolded. He often referred to legislation as a point of reference to unambiguously substantiate his administrative position and role as the accounting officer in the whole process. For example he highlighted that, 'an organogram is a management tool and not a negotiated tool... it is within our [referring to management] legislative duty as the executive to implement it' (Municipal Manager, Observation of the council meeting, 5 August 2015). But at the same time he stated that 'an organogram is not the end but a living document and therefore it is a work in progress' implying that it is not cast in stone and there was room for review even after the adoption (ibid). This already implied a position taken by the executive committee of compelling council to adopt the organogram and eliminating any opposing and dissenting views that may further delay the process. However, he did talk about the issue of termination of contracts and offering severance packages to older employees.

On that note, the speaker picked up that the municipal manager's position might be met with apprehension because after the municipal manager had spoken, the speaker was quick to comment before councillors could raise their hands to make their comments. In his comment, he emphasised that holding a consultation process with stakeholder was as just as important as implementing the new organogram. In his own words, he stated that 'we would not want to impose the new organogram on any stakeholders but consensus must be reached' (Speaker, Observation of the Council meeting, 5 August 2015). This statement indicated that the speaker was avoiding the conflict that might arise from the

management team and executive committee's position communicated by the municipal manager in his introduction, which might ruffle the feathers of the municipal union.

The speaker further noted that, 'we [councillors] are not in a position to compromise on contract workers but you must view the new organogram as work in progress' (ibid). This also indicated a binary position of being a politician and sympathiser to their alliance partner (SAMWU) in an attempt to appease and get the support of the municipal union. In contrast to the municipal manager's view, the speaker's assertions suggest that some ANC councillors did view the development of the new organogram as a politically negotiated processes rather than a legally binding bureaucratic administrative process that had to be followed. This demonstrated the way in which the speaker was attempting to mediate potential conflict that might arise with the municipal union alliance partner.

The municipal manager's attempt to persuade the councillors to approve the new organogram as 'work in progress' was met with rejection by not only councillors from the opposition parties but by ANC councillors who too waged criticism against the flawed negotiation processes. After the speaker had made his comments, DA councillors were the first to raise concerns about receiving the agenda that contained the new organogram presentation only the day before the council meeting, suggesting that councillors did not have sufficient time to thoroughly review the new organogram. This was followed by an escalation of disapprovals from other councillors, pointing out that although they understood the urgency of approving the proposed organogram, however councillors were concerned that non-executive committee members had been 'kept in the dark' before taking it council for adoption (DA councillors, Observation of the Council meeting, 5 August 2015).

They also questioned the discrepancies and errors made in the total number of employees; the unclear financial costs of the new organogram and; the insufficient information relating to job descriptions and newly created positions that were supposed to be attached as annexures in the document. The issue of finances was strongly questioned by councillors, citing that the proposed new organogram did not indicate how these additional newly created positions were going to be financed when the municipality was currently struggling to fill already existing vacant positions in the administration. Other councillors from the smaller parties such as the Congress of the People (COPE) raised

concerns about the ‘piecemeal approach’ in terms of absorbing certain workers, while other workers would be absorbed at a later stage. In summary, councillors from the opposition were unanimously agreeing that they were not going to approve an organogram that would later have negative and irreversible consequences.

As councillors from the opposition parties were relaying their criticism, municipal union and ANC branch members in the public gallery nodded their heads and kept mumbling ‘yes’, expressing their agreement with the arguments raised by the DA and COPE councillors each time they made a point. In an attempt to dilute the overwhelming criticism waged by the opposition party councillors against the executive committee, the mayor made an attempt to motivate for the position taken by the management team and executive committee of requesting council to approve the proposed new organogram. He cited the urgent need to address poor service delivery and the fact that they were behind with the time frame of completing the new organogram. In his motivation, he emphasised that:

We have a huge problem with excess labour in our municipal institution and we cannot absorb contract workers without a new organogram. We have been postponing and postponing the approval of this new organogram for too long. We cannot consult forever. At some point we have to take a decision as council in order to move forward. (Mayor, Observation of the Council Meeting, 5 August 2015).

Councillor Molefe, an ANC councillor who serves as an ordinary councillor member in the LLF, raised his hand after the mayor had spoken. However, his input was a counter-argument to the mayor’s justification. Speaking for close to 10 minutes, councillor Molefe sharply criticised the manner in which the executive committee had handled the organogram consultation process, echoing similar concerns raised by councillors from the opposition parties. As an LLF member, he also took the opportunity to reflect and give a detailed account on the unfolding events of how the management team mishandled the processes of initiating the discussions with the municipal union, which resulted in a ‘procedurally flawed process of negotiation’ between the municipal union and the management team. He characterised the processes taken by the executive committee and its management team as ‘taking short cuts’ and ‘rushing’ for approval without following due processes. He further cited an example of how the dispute withdrawal from the bargaining council made by the municipal union did not go through the LLF structure for a proper acceptance of withdrawal and agreement to renegotiation.

He then turned to the executive committee and asked the executive committee: ‘what was the rush’? ANC branch members sitting in the public gallery were mumbling ‘yes’ and started to clap their hands repeatedly after he had spoken while passed remarks in whispers that ANC councillors and certain ANC regional party officials were ‘pushing their own agenda, that’s why they are rushing (Observation of the Council meeting, 5 of August 2015). The speaker had to quickly reprimand the audience in the gallery from interrupting council procedures.

After councillor Molefe had spoken, there was no other ANC councillor who requested to make a contribution to the debate or to defend the executive committee and the management team. Councillor Molefe’s robust argument opposing the presentation and the adoption of the new organogram signalled a unanimous rejection from ANC councillors who too were nodding their heads in silence (ibid). These gestures suggested that ANC councillors were not supporting their fellow ANC councillors serving on the executive committee to forge ahead with the proposed new organogram. In an attempt to avoid prolonging the debate that was not in favour of the executive committee and its management team, the speaker and ANC chief whip offered to make a ruling of putting the matter on abeyance. The speaker’s ruling demonstrated an indirect acceptance of defeat by not insisting on pushing ahead with the presentation, citing ‘challenges identified by councillors in the processes’, and proposing for another special meeting where all councillors would be thoroughly taken through the new organogram before presenting it council for adoption. SAMWU and ANC branch members in the gallery were mumbling and nodding with satisfaction, clenching their fists as a sign of satisfaction with the decision of not proceeding with the presentation. Immediately when the speaker moved onto the next item on the agenda, the SAMWU and ANC branch members in the public gallery left in their numbers as a demonstration that they were done listening to what they had come to observe.

I had an interview with two ANC councillors Peterson and Molefe (the councillor who criticised the executive committee in council) after the council meeting. They were able to provide me with more information on what had transpired within the ANC caucus leading to the disapproval of the proposed organogram by ANC councillors and branch members. Both councillors stated that although the mayor was keen on recruiting technically skilled

professionals into the newly created positions in the new organogram, however, councillors and ANC branch officials sensed that he was operating under mounting political pressure from the ANC regional party officials. According to both councillors, the municipal union's interests were centred on the absorption of contract workers, whilst the ANC regional party wanted the approval of the new organogram by council with the intention of 'deploying' certain ANC members into the newly created positions.

They also added that ANC branch secretaries and chairperson were also divided, some wanting to push the organogram while others were rejecting the approval of the organogram. The latter were blocking those branch members who had secured future prospects of employment in the proposed new organogram through ANC regional party officials (Interview with Councillor Peterson and Councillor Molefe, 20 August 2015). The internal disagreements within the ANC regional party structure and caucus were also further complicated by SAMWU and ANC regional party structure conflict as they were pulling in different directions and failing to reach a consensus. ANC branch members who rejected the organogram were also backing SAMWU members too. This tells us that alliance was as much in conflict with each other as the ANC was also dealing with its own internal contestations over who gets positions in the organogram. The tension between the ANC regional party and its SAMWU trade union alliance is also reflective of the general breakdown of alliance partnership between the ANC national party and COSATU that has been playing out in the public.

Councillor Molefe stated that he had argued against the presentation and adoption of the organogram in council because ANC councillors and certain branch members knew that the mayor and municipal manager were rushing for its approval without consulting all workers as result of pressure from the ANC regional party. According to him 'some friends of the ANC regional leadership wanted to hijack the process as they were eyeing for those new positions' (Interview with councillor Molefe, 20 August 2015). This was echoed by the senior manager who was responsible for coordinating the development of the new organogram. She stated that at some point before the new organogram was presented to council, the mayor, who was increasingly becoming impatient, had hurriedly requested him to finalise a report on the organogram because 'he had to send this report to the ANC regional leadership as soon as possible for their inputs and approval' (Informal discussion with Human Resources Director, 17 August 2015). The mayor himself

admitted that the ANC regional party officials had provided him with the list of names of ANC members whom he was instructed to employ in the new organogram. This caused conflict between the mayor and ANC regional party officials, as the mayor refused to perpetuate patronage appointments that contravened HR processes of appointment and the objective of appointing skilled workers in the new organogram. This provides us with further evidence which suggests that there were parallel decision-making processes taking place regarding the organogram development process: in the ANC regional party structures outside the council chambers and in the executive/council meetings inside the council chambers.

The organogram which was viewed as an instrumental tool for restructuring the organisation as a means of resolving the human capital deficit had instead symbolised a potential mechanism for distributing state jobs for ANC members and affiliates. This challenges the idea of viewing the re-organising of the state through an organogram as a neutral bureaucratic process that is insulated from political interference associated with the Weberian legal-rational of running the administration. Here, we are able to demonstrate that in practice, the development of an organisational organogram can serve as a potential political enabler to advance particularistic interests of state actors. Therefore administrative processes of restructuring the organisation are as much interwoven within the power struggles and dynamics of the executive committee, senior managers, ANC regional party officials and its municipal union alliance partner at local level. This brings us to the final section, which further shows how an idea of introducing a new organogram in a municipal organisation can contribute to the bolstering of patronage appointments into the state.

## **5.6 The Organogram: Potential Access to State Jobs**

### *5.6.3 Political Deployments, Nepotism and Securing Jobs For ANC Comrades*

It was not too long before the suspicions voiced by some ANC councillors and SAMWU union members about using the new organogram as mechanism for ‘securing jobs for friends and ANC comrades’ was brought to the public eye. While the executive committee was busy on the one hand trying to address the organogram consultation flaws by holding various consultation meetings with the municipal union and staff members. On



the other hand SAMWU had allegedly come across information through its sources that ANC regional party officials were using the ANC deployment approach to push for the employment of ANC members and affiliates into the municipal organisation before the new organogram negotiations were concluded and the new organogram was adopted by council. The SAMWU chairperson, James Nxumalo stated that after the new organogram had been sent back for further consultation in August 2015, they allegedly were informed by a source from the Human Resource Department that close to 10 individuals were in the process of being interviewed on the 3rd of November 2015, with the intention of appointing them into speaker's office and some other departments in the administration (Interview with James Nxumalo, SAMWU Chairperson, 3 December 2015)

There were individuals that were going to be employed in the municipality through the back-door. On the day of the interviews of the candidates, we [SAMWU] disrupted and blocked all interviews that were scheduled to take place at the municipality. We blocked the buildings and picketed outside for a week. They [ANC regional party] told us that the people being interviewed were comrades who were being deployed and we should stop what we are doing. If they were being deployed, why were we not consulted about this as an alliance partner? Deployments must be done in a transparent and correct manner. Not by bringing people in the back-door. And secondly, we felt disrespected by the speaker and the ANC. So we also brought out the speaker's dirty linen by demanding an enquiry into his misconduct...he recently used the municipal funds to rent a car for private use while he knows clearly that he has been barred from using rental cars over the weekends on the municipal tab because he once had a collision driving under the influence of alcohol. (James Nxumalo, SAMWU chairperson, 3 December 2015).

According to one of the senior managers, when the mayor and the speaker were appointed in 2013, the speaker indicated that he wanted to remove the support staff in his office that had served under the former speaker by replacing them with 'his own' staff members (Interview with Human Resources Director, 17 August 2015). At the same time, terminating the contracts of the old staff members was not an option as the ANC regional party officials had given an instruction to senior managers and political office bearers to not terminate the contracts of staff members. This provides the context in which the speaker pushed the appointment of staff members into his office whilst at the same time disregarding a decision taken by the executive committee and council not to make further appointments until the new organogram negotiations were concluded and the new organogram was approved.

Similarly, the mayor had once also claimed that he found close to 20 staff members in the mayor's office. Majority of these staff members allegedly had no secondary and higher education school qualifications. Apparently the former mayor had brought employees into

her office as ANC deployees that did not have designated positions or job descriptions in the existing organogram. The mayor claimed that he did not bring any new staff members with him into his office when he came into office in December 2013. He then had to request HR to place the excess staff members that he had found in his office elsewhere in the different departments because the ANC regional party officials adamantly refused any dismissal of ANC deployees. He retained only 7 support staff members that were given job descriptions in the mayor's office (Informal discussion with the mayor, 12 October 2015).

Firstly, the incident of appointing employees in the speaker's office through what James Nxumalo terms as 'back-door' demonstrates the ways in which ANC deployment can be used to subvert and justify deviations from council decisions concerning employment processes. SAMWU as an alliance of the ANC also expects some form of partisan consultation as this has implications on staffing issues that affects their membership base in the municipality. The exclusion of SAMWU in the ANC regional party deployment processes tells us that the relationship is not broken but also sheds light into ongoing tensions and conflict within the ANC alliance from below. Secondly, the refusals of dismissing employees by the ANC regional party officials also illustrate how politically appointed "ANC comrades" enjoy a sense of political protection and security from losing their jobs. Thirdly, the high number of ANC 'deployees' that were found in the mayor's office also provides a striking example of how the concerning appointment of unskilled and less competent ANC "comrades" is based on distributing and rewarding state jobs to 'loyal comrades' rather than stemming from the municipal organisational need, which is characteristic of African bureaucracies (Anders, 2014; Bayart, 1993; Olivier de Sardan, 2014). Moreover, the speaker insisting on bringing his own staff members to his office has become an acceptable common practice within the ANC, where 'deployees' in the public sector, particularly those serving politicians in the political sphere of the public sector organisation, also change when political executive appointments change (Cameron, 2010; Booysen, 2015; Naidoo, 2014).

The practices illustrated by the mayor corroborates with Mafunisa (2008) and Mapunye's (2005) study of the South African public service, where they bring to our attention the high number of public sector turnover, particularly amongst senior managers on contracts in the political as well as the administrative sphere of government. They suggest that such

practices tend to obstruct the organisational continuity and stability of the public sector in South Africa. On the other hand, one cannot overlook assertions made by Svava and Mouritzen's (2002), where they suggest that values such as trust and loyalty also form part of the main basis for politicians to appoint staff members and senior managers complementary to their term of office. Nevertheless, in the case of South Africa, partisan appointments go hand in hand with rewards for loyalty in the public service taking also taking into account that the public service in African states still forms part of the main source of secure employment (Anders, 2010).

Finally, the dynamics of public service appointments and the ANC deployment policy shows the contradictory nature of local government nature when it comes to the implementation of national government state reforms - particularly NT's agenda of reducing the size of the bureaucracy and the NDP (2012) agenda of building state capacity. The practices of local government demonstrated in the organogram development process at Kalahari Municipality suggests that these policy directives are obscured by ongoing patronage appointments and particularistic interests of the ANC regional party structure, the municipal union and partisan administration. These dynamics show that the decentralised system of the ANC has to a large extent created political power enclaves at regional level in terms of controlling the state from below. ANC regional party elites use their power and authority to capture the local government state by controlling the distribution of municipal jobs. As a result, the NDP (2012) and National Treasury agenda is abandoned by the local government at the political control of the ANC regional party structure. This means that irrespective of the competency regulations introduced by NT and the NDP (2012) professionalisation agenda, aimed at enforcing municipal bureaucratic change and practices, these policies are constantly reshaped by the local political dynamics in the struggle for control over local government state resources, thus making national government impotent in terms of controlling the implementation of state reforms at local government level.

## **5.7 Conclusion**

This chapter has attempted to complicate the implementation process of chapter 13 of the NDP in a partisan local government sphere by providing a much needed in-depth and detailed insight into the turbulent decision-making processes and power dynamics

between state actors such as the council, the executive committee, the senior management team and the municipal union. The proposed new organogram positioned by the executive committee as an enabler to implement local government reforms in this chapter, provides a much needed insight into the ways in which organisational restructuring is influenced by the political interests and dynamics of local government state actors. This chapter moved beyond the analysis of neo-patrimonialism by demonstrating how local government functions within a complex heterogeneous environment marked by power and economic struggles that have been largely shaped by neoliberal policy reforms. The re-emergence of Weberian and neoliberal features in organising the local government bureaucracy through processes of building state capacity, professionalisation of local government, reducing the size of the bureaucracy by laying off redundant and unskilled workers; coexist with the municipal union's agenda of protecting unskilled workers and redundant workers from losing their jobs, coupled with ANC regional party practices of patronage and irregular appointment of ANC affiliated members into middle and lower levels of the administration. These dialectical processes demonstrate the contradictory practices of state actors that have the potential of strengthening and weakening the NDP (2012) agenda of building state capacity.

This suffices to show how the ANC deployment policy has been re-shaped and fragmented in terms of its political objectives embedded in the ideological transformation of the post-apartheid era. The contestations permeated through the struggle for access to jobs frames the mundane challenges of ANC when it came into power, inheriting a polarised state marked by socio-economic inequalities yet at the same time having to introduce reforms that sought to make South Africa a developmental state. In country that has been experiencing increasing levels of poverty and declining economy, the competition for access to state resources becomes ubiquitous. Thus ANC deployment and the poverty relief programme such as the EPWP programme come to symbolise prospects of creating job opportunities and securing livelihoods for ANC members and affiliates in the absence of economic prosperities. As we have revealed in this chapter, the idea of an organogram also adds to the clamour for access to resources, particularly jobs. This also means that an organogram bolsters the distribution and rewarding of state jobs to 'loyal comrades' rather than stemming from the municipal organisational need, which is characteristic of African bureaucracies (Anders, 2014; Bayart, 1993; De Sardan, 2014).

Moreover, this chapter has managed to demonstrate why reforms and regulations designed by national government that were introduced in 2007, which were aimed at building bureaucratic capacity and professionalising local government level, have had very little impact in so far. Irrespective of the continuous ANC practices of patronage appointments of public servants, however this case study demonstrates that local government can be both a site of political contestation and resistance against patrimonial practices. Resistance is demonstrated through internal opposition of ANC councillors and municipal union alliance of the ANC in cooperating with patrimonial practices sought to weaken the capacity of the state. On the other hand resistance demonstrated by the municipal union is contradicted by its trade union objective of protecting its constituency that is largely constituted by unskilled labour force, from losing their jobs during a period of economic precariousness.

Lastly, the chapter managed to draw our attention to the complexity and conflicting objectives of what the state seeks to achieve on paper, which do not neatly dovetail with the actual practices of state actors at local government level. What the state seeks to achieve in the NDP is obscured by the competing multi-layered interests of the different role players. Irrespective of the competency regulations introduced by National Treasury and the NDP (2012), aimed at re-enforcing professionalization and bureaucratic change from middle to lower employees of the state, these policies are constantly reshaped by the local political dynamics in the struggle for gaining access resources and securing state jobs, thus making national government impotent in terms of controlling the implementation of state reforms at local government level. Hence the conclusion that the NDP (2012) objective of building a capable state through professionalization continues to coexist with processes that decapitate the South African developmental state agenda.

## **6 CHAPTER SIX**

### **THE IMPACT OF ANC REGIONAL PARTY POLITICS ON COUNCILLORS’ REPRESENTATION AT KALAHARI MUNICIPALITY**

#### **6.2 Introduction**

This chapter brings together the empirical chapters into a discussion of key thematic areas that help us understand the dynamics and complexity of ANC councillors’ representational roles in council decision-making in South Africa. Although this chapter will highlight some of the mundane and specific issues that contribute towards our understanding of how ANC councillors decision-making powers and autonomy are often constrained by organisational decision-making structures, legislation, policies and practices of other state actors. This chapter particularly draws our attention towards the impact of a partisan system of local government on councillor’s representational focus, which has been found to be a common thread that cuts across the case studies presented in this thesis. While there is a general consensus amongst local government scholars that local government as a sphere of government that is closest to citizen, councillors as elected local government representatives should exclusively advance and represent the developmental interests of their communities. However, in the case of South Africa, ANC councillors’ have been profoundly criticised for paying less attention to representing the developmental interests of their communities (Alexander, 2010; Atkinson, 2007; Qobo and Mashele, 2014).

Although the ANC as a liberation dominant party in power has enjoyed overwhelming electoral support since the inception of a post-apartheid government, in retrospect to this dominance, the party has however experienced a sharp decline in electoral support at local government since 2006 (Booyesen, 2015). Most commentators assert that the electoral decline is owed to the public disillusion with ANC councillors who have been particularly accused of immersing in corruption and patronage (see Alexander, 2010; Atkinson, 2007; Southall, 2007; Booyesen, 2015; Ndletyana, 2014). This criticism is derived from the declining electoral outcome, escalating community protests, and public perception surveys, where citizens have expressed their disenchantment with ANC councillors’

inability to advance the service delivery needs of marginalised communities. This approach has been often used to local government scholars to analyse what they term as a 'crisis' and 'dysfunctional' state of local government in South African (Alexander, 2010; Atkinson, 2007 and 2010; Beall, 2007; Benit-Gbafou, 2014; Booysen, 2007; Habib, 2014; Pernegger, 2014; Von Holdt et al, 2011). Although the state and society conflict has assisted in understanding the dynamics of the post-apartheid local government state through the experiences of citizen's in South Africa, nevertheless it has deprived us from understanding why councillors fail to represent the interests of their communities and constituencies. In this chapter, we delve deeper into the institutional political decision-making processes and dynamics of ANC party politics from councillors' experience and perspective. In order to understand how representation occurs within the realm of party politics of the ANC - chapters 3, 4 and 5 have provided a deeper and more nuanced insight into the paradoxes and complexities of council decision-making, where councillors as elected representatives, are central in taking decisions on behalf of the electorate.

This chapter will discuss the complications surrounding the dual representational role councillors who carrying the mandate of the ANC party as well as the state/communities. It will draw on the ANC party-state framework to analyse the phenomenon of subordinating councillors into placing the interests of the party above the state. This is what De Visser (2009) articulates as undue interference of the ANC into state, which often leads into a battle between the 'two centres of power', namely the state and ANC party decision-making structures (Naidoo, 2014). Access to local government resources becomes the main objective of ANC regional party structure's dominant presence in council and executive decision-making (Booyesen, 2015). The ANC regional party sees council and the executive decision-making as its political domain through which the party can exert its control in attempting to reach every facet of the municipality with the objective of state resources. In this setting, councillor's representational focus can be found to be conflicting, dynamic and multifaceted, spanning the challenges of negotiating between the state, community 'service delivery' prerogatives, and the ANC's party political interests or 'party mandates', which in most cases ANC party interests are conflated with private sectional interests of ANC regional party officials. The internal opposition of ANC councillors demonstrate a level of resistance against the domination of the ANC regional party in the affairs of municipal decision-making marked by attempts to control the clientelistic distribution of resources of local government.



The issue of political appointments, which is closely tied to the ANC party-state conflation in the bureaucratic system of local government, will be discussed in detail in this chapter. This issue is tied to the contradictory declarative nature of the ANC and government officials that illustrate an interest of becoming a developmental state and the actual actions taken by the ANC and government in constructing a developmental state are paradoxical if not contradictory. It also tells us about the party's failure to effectively reconfigure and adapt its Deployment Policy (1997) to meet the evolving political leadership needs of a developing what ANC councillors term a 'modern' state like South Africa that would be required to provide effective political leadership to find innovative development solutions for a complex local government organisation. But before we get into the finer details of ANC party-state relations, we will first unpack the disjuncture of legislative prescribed roles of councillors versus the intricacies involved in the practices and experiences of councillors when executing their representational roles and responsibilities.

### **6.3 The Complexity of Prescribed and Informal Roles and Responsibilities**

#### *6.3.3 Councillors Multiple Representational Focus and Bureaucratic Constraints*

ANC councillors studied in this thesis reveal that councillors do not necessarily assume one form of 'citizen' orientated trustee representational focus. But rather there the representational focus of councillors is fluid and councillors assume multiple roles (Young 2000) that are influenced by both formal legislative roles and informal practices that intercept legislative roles. Councillors simultaneously assume three broader roles that have been identified in this thesis. These roles are associated with their political office-bearer role (executive and committee members), community representative roles (ward councillor) and party representative role (Heclo, 1963), which are related to their executive and non-executive portfolios. These roles and positions can determine the extent to which councillors are able to wield their power and authority in influencing council and executive decisions for the benefit of their communities. The analyses of ANC ward councillors roles is usually offered within the service delivery discourse in South Africa (Hart, 2014), which creates an imagining of a parochial role of councillor's

ability or inability to deliver on their electorate mandate (Alexander, 2010; Atkinson, 2007; Ndletyana et al, 2014).

The assumption often made by commentators such as Alexander (2010) and Atkinson (2007) is that councillors' representational focus is only steered towards self-enrichment driven by self-interest. This conclusion is problematic because evidence used to back up such claims are derived from newspaper reports that cover protests of disenchanted communities (see Atkinson, 2007:12-14) and therefore tend to treat councillors as a homogenous groups of political representatives. This thesis has managed to draw on evidence produce through detailed organisation ethnography that examines the everyday work of councillors behind the council chambers in order to better understand councillors' representational focus and priorities in relation to the actual practices of councillors when executing their representational roles and responsibilities within their work setting. Agreeing with Gillian Hart (2014:258) 'councillors' representational positions are becoming increasingly fragile for reason that go beyond corruption and self-serving', of which it is the fragility of their power in relation to the conflict between councillors and their political party, the administration and communities which this thesis has managed to further explore for the understanding of representation.

As we have seen in the previous chapters, ANC councillors that have been studied in this particular municipality do place the interest of their communities at the forefront of their representational focus. Corroborating with Benit-Gbaffou's (2008:28-9) research, which found that councillors' powers are more so diminished in the face of rising public discontent, as they are presented as being at the forefront of local service delivery. Indeed, while the general understanding of councillors' representation roles are presented as being at the forefront of local service delivery, in reality, councillors' powers are limited to representing decisions that promote community service delivery in council structures. The actual delivery of services depends on the efficiency and effectiveness of other state actors such as the administration, which is responsible for the actual implementation of council decisions and the delivery of services. This is the case in point that most commentators have failed to disentangle in the service delivery discourse.

Another dimension brought forward in this thesis is that councillors have multiple representational roles that they have to fulfil as representatives of their political party,

community/wards and the national government policy agenda. Specifically ward councillors elected under the ANC party banner, who are delegated with the primary responsibility of advancing ward community service delivery also have dual responsibility of carrying the ANC party political mandate. Some councillors are caught between their possible sympathy for needs expressed by communities in their wards and on the other hand, and party political decisions of their branches and regional party structure they have to support in council as bloc. Councillors' representational focus is shaped by multiple factors and the significant influential role played by various other state actors such as the administration, the municipal union and ANC party officials who influence the politics of council for outcomes favourable to their interests. Therefore ANC councillor representation is fluid, and multifaceted (see Mansbridge, 2003; Young, 2000), shifting and navigating in between contours of interests of other state actors, while councillors attempt to carve their representational roles and focus in between.

There is also a noticeable difference between the representational focus of non-executive ANC ward councillors and executive committee member councillors (political office bearers such as the mayor, speaker, chief whip, chairpersons and members of executive committees and portfolio committees). Firstly, non-executive members are referred to in this research as ordinary ward councillors who do not serve in the executive committee, or any other significant portfolio committee. The day-to-day responsibilities of ANC ward councillors' as non-executive councillors; confine them to their wards, since ward councillors are expected to attend to issues and problems emerging in their wards (Newton, 1979). Unlike executive councillors such as the mayor and his executive committee chairpersons, they have specific political management roles and responsibilities such as overseeing administrative departments; processing council decisions and preparing reports for council on major issues that require council decisions (see SALGA, 2006).

Therefore executive councillors' attention is pulled towards focusing on day-to-day political management responsibilities. This requires executive councillors to be permanently based in the political wing of the council office, where they are allocated offices, working equipment, telephones and administration support staff. When we closely examine the implications of the divisions of labour in terms of the representational focus of non-executive and executive councillors, we find that non-executive ANC ward

councillors who have participated in the study, interface between parochial and mandate representation (see Corina, 1974 and Newton, 1979). In terms of the former, ANC councillors' representational focuses narrowly focuses on representing and advocating for the improvement of service delivery issues affecting their wards, and with the latter, the conduct of council affairs representation is exercised through the prism of an ANC partisan party politics. The delineate and prescribed roles of councillors feed into the councillors' everyday activities, routines and time spent on executing their responsibility; the (de)limitations of councillors' powers and authority in holding the administration accountable for non-delivery of services; including the ability of councillors' to influence the administration into distributing resources to their constituencies. Two members of the executive committee simultaneously occupying the position of committee chairperson (responsible for political management of a particular committee) and ward councillor (responsible for the ward) shared the following insightful experience of being a councillor holding both these executive and non-executive positions.

Being a chairperson requires you to be hands on all the time. If you are not hands on, these administrators will take decisions behind your back without you knowing. Sometimes we have to keep them on their toes. I need a lot of time to go through reports and attend to the different issues coming from these departments. This demands a lot of my time. Yes communities in my ward do complain that I'm never in my ward but they don't understand I have to spread my work with committee work and sometime I may appear to be neglecting our ward as ward councillor. (Interview, Councillor Thekiso, Utility Services, 20 July 2015)

Another councillor cited how he often had to find ways of managing between committee work and ward related duties, which depended on the willingness of the councillor to be accessible beyond working hours.

Community members know where to find me. They even come to my office during office hours or my house after hours. They [community members] even call me directly on my cell-phone. I have to make myself available all the time. It's part of my job. It's demanding and sometimes challenging. You have to put in extra time to attend to these responsibilities. But with the experience I got over the years doing this work, I have found way to manage my work as a ward councillor and chairperson of my committee. (Interview, Councillor Nhleko, Inter-Governmental Relations Chairperson, 14 July 2015)

Time and finding a balance between ward and executive responsibilities is of the essence to most councillors. In contrast to the above views, as we have seen with the mayor in chapter 4, his focus was more orientated towards taking decisions concerning the distribution of resources that were aimed at improving service delivery even though the mayor was not a ward councillor. This focus featured prominently in his arguments

during the executive committee meetings, especially in his disapproval of supporting the establishment of the O.R Tambo Monument. This shows that executive members can have a broader focus beyond the municipal institution and into the rest of municipality and wards. What they do inside the municipality must translate into improving delivery of municipal services. Yet this does not necessarily require the councillor to be directly involved in day-to-day activities concerning the ward. This goes for executive committee members who most of them are directly elected as proportional party representative councillors. Some ANC councillors, who occupy both an executive and ward councillor position, also bring to our attention the advantages that come with this dual occupation. For Councillor Modimole, a ward councillor occupying an executive position as a committee chairperson for Community Services, she was able to use her political position of authority to influence resource allocation and infrastructural development projects under her Community Services portfolio to her ward – of which she noted this was something she was not able to do as an ordinary ward councillor:

Since I became a committee chairperson, I am able to get reports and information from the administration. When I used to be just an ordinary ward councillor previously, I couldn't get this information because the administration would hide it from me. Now that I am a chairperson of my committee, I have the necessary information about projects and I can influence the budget allocation for my ward in my committee. I tell the administration what to do and where projects should go, including my ward. That's how I was able to bring projects to my ward through my committee as a chairperson. For example, if you go to my ward you will see the number of on-going road works, paving projects and house that are currently being built. (Interview with Councillor Modimole, 3 November 2014)

Another councillor also corroborated to the advantages of being an executive and ward councillor:

And as a chairperson, I have access to the administration. I can directly call a director to my office if there are complaints from the community that need to be resolved by the municipality. Previously, I couldn't do this because I was just a ward councillor with no powers (Interview, Councillor Makhekhe, Gender and Special Programmes Chairperson, 14 July 2015)

According to ward councillors, being a non-executive ward councillor often restricted them from accessing information from the administration. They saw this as a constraint towards their ability to significantly influence and control the administration in relation to the distribution of resources and development allocation of projects in their wards (Focus Group Discussion with ANC Ward Councillors, 2014). These experiences signify that serving as a chairperson of a portfolio committee or as an executive committee member symbolises more decision-making powers and authority, and this came with political

upward mobility in the ranks of ‘councillorship’. It is within this context that the institutional political decision-making hierarchical structure has excluded non-executive ANC ward councillors from access to power and influence. This provides a much needed insight in relation to the limitation of ward councillors’ power to effectively carry out their representational roles in ensuring that public goods and services are indeed delivered to their wards. Other scholars such as Atkinson (2007), Booysen (2009) and Southall (2007) have not been able to demonstrate this complexity in their analysis that links community protests and disenchantment with councillor representation ability to deliver services.

This stresses the understanding that the exclusion of ward councillors from participating and holding executive positions as committee chairpersons comes with lack of power to influence resource distribution. This accentuates the idea of ward councillors being relegated as a ‘backbenchers’ (see Copus, 2004). This thesis suggests that the division of labour, positionality of councillors linked to the political management duties and functions prescribed by the legislation, as well as informal practices of using political authority to influence the administration to resource distribution, plays a central part in enabling councillors to fully exercising their power and representational responsibilities in ensuring the delivery of public goods to their wards. This division of labour between non-executive and executive members produce new forms of exclusionary practices in terms of access to power into council politics of decision-making.

#### *6.3.4 Executive Member Up-Ward Mobility and Access to State Resources*

In spite of a member of the executive as a ward councillor may benefit from resource allocation and development of the ward due to the proximal access to information and authority of the executive member ward councillor to influence the administration in resource allocation. This sheds light how this practice at the same time, contributes to non-executive ward councillors continuous experiences of exclusion that is translated into the marginalisation of their wards from development and delivery of services. This upward mobility into the executive however generates salient tensions between the two groups of councillors. The division of labour between non-executive ward councillors and executive councillors and upward mobility of ward councillors into the executive

committee also produces another nuanced understanding in terms of personal benefits that come with access to power, authority and resources of councillors.

As chapter 3 demonstrated, tensions between non-executive ward councillors and executive members surfaced as a result of the non-executive ANC ward councillors opposing the decision to approve the O.R Tambo Monument Project. ANC ward councillors viewed this as a misuse of state resources that should instead have been channelled for development of their wards (see chapter 4, p107). Whilst the mayor was against the proposed project, ANC ward councillors also were extremely critical of the ad-hoc committee that was set up to develop the project concept. Particularly, ANC ward councillors criticized members of the O.R Tambo ad-hoc committee with respect to the unsanctioned use of public funds for personal benefits. In essence, non-executive ANC ward councillors criticised the O.R Tambo ad-hoc committee members for being 'less concerned about service delivery' and rather more concerned about serving their own personal interests. They were of the opinion that the ad-hoc committee had spent scarce municipal resources on unsubstantiated 'fact-finding missions' and 'research activities' related to the project. These activities include traveling on study tours to various municipalities and heritage sites connected with O.R Tambo's places of political memory and history), arguing that these activities did not stand to benefit their community service delivery needs (chapter 4, p107). As one ANC ward councillor put it, committee members had been 'staying in expensive hotels whilst ward councillors were told that there was no money for ward service delivery' (ibid).

By uncovering the manner in which executive and ad-hoc committee members derived personal benefits from these activities, we can see how being a member of a committee and also a chairperson of a committee was often accompanied by the subtle nuance of access to perks and privileges. Access to other state resources, perks and privileges (such as fully equipped offices), excursions and travel to conferences and meetings, were some of the benefits said to be derived by committee chairs and which ward councillors had little access to (ANC Ward Councillor Focus Group, Kalahari Municipality, 2 November 2014). This also draws the nuanced distinction that generates tensions between ordinary councillors and executive members, which is shaped by access to state resources for personal gain. Whilst ANC executive members viewed this upward mobility as a positive gain for their wards, on the other hand, ANC ward councillors viewed this pursuit for



upward political mobility as a contributor to an indiscrete, self-indulgent culture of committee members who were able to use their higher ranking political office for private gain. From the perspective of ANC ward councillors, the self-indulgent behaviour of committee members resembled a ‘disconnection’ from representing the interests of communities and the realities that were encountered by non-executive ANC ward councillors operating on the ground (see chapter 4, p107). It can be said that these animosities were primarily caused by proximity to power and competition for access to state resources, positions of authority in line with the division of labour of political office roles between ANC councillors that is further advanced by the competition for access to state resources we are seeing in local government (Beresford, 2015; Dawson, 2014; Mukwede, 2014).

#### *6.3.5 Politics of Exclusion*

The above dynamics between non-executive and executive member councillors brings forward yet another salient nuance, in the way in which the municipal organisation has been structured in a hierarchical manner that alienates non-executive members of in the margins of municipal decision-making. Here we find that organisational structure of associated with the ranking of political office-bearer positions, symbolised access to power often exclude other political representatives who are relegated as ‘backbenchers’ in the periphery, and therefore have little power to influence executive decision-making. This corroborates with De Visser’s (2009:16) concerns on the potential exclusionary effects of the executive committee system, which tends to create a gap between executive councillors and ordinary councillors who are not part of the executive committee, thus often depriving them from access to information and decision-making powers. In other words, the exclusionary practices created by the executive committee system present a barrier between executive and non-executive councillors. Although ANC councillors may be considered as ‘insiders’ within the ANC ruling party in council, ward councillors actually view themselves as ‘outsiders’ within the organisational decision-making realm. This is mainly due to their marginalization and restriction of access to state resources and the limitations in authority and executive decision-making powers.

Page (1999:205) explains this by drawing on Dearlove’s (1979) ‘insider/outsider’ analytical framework, which sought to explain the position held by different groups that

attempt to influence decision-making in society. In his work, he succinctly illustrates the dynamics of decline for certain groups considered to be insiders that are excluded in policy-decision making (ibid). According to Page (1999), the insider-outsider theory developed by Dearlove (1979) is not merely a binary dichotomous relationship. Those considered as 'insiders', may in reality find themselves to be 'outsiders' with respect to the group that holds decision-making powers. In this instance, ANC non-executive members ward councillors find themselves excluded from the corridors of power within the political management structure of the executive committee, which relegates them to the position of 'outsiders'. They are therefore compelled to adopt the outsider strategy of being an opposition within the party by opposing some decisions taken by the executive committee. It can be argued that whilst non-executive ANC ward councillors may seek to be included in these decision-making structures, the structural hierarchy of the organisation does play a significant role in reinforcing this exclusion, which results in the ANC ward councillors' limitations in exercising their authority, access to state resources and from directly influencing decision-making. The direct consequence of this exclusion is that they generate an emergent practice of internal political opposition driven by ANC councillors, which then on the contrary extends the ward councillors' representational focus beyond parochialism.

Thirdly, we are able to see how the scales of power visibly shift fluidly from one group that holds the power (executive committee), to a group of non-executive ANC ward councillors perceived as having little power and influence of decision-making. Although mayor was able to persuade the ANC provincial leadership to change the O.R Tambo Monument Project, the latter group of ANC councillors were able to sway the decision of executive committee by resisting and opposing this project. This was done through exerting pressure on the executive committee to rethink the project's original concept of a 'Monument' to that of a 'Development Project', such that ward community infrastructure development of communities represented by the ANC ward councillors could be considered. The ability to influence decision using strategies of resistance and opposition shifts generalised understanding of how power is dispersed unevenly and fluidly depending on the strategies adopted by the outsider group of non-executive councillors.

Likewise, adopting an internal opposition strategy to neutralise decision-making powers of the executive committee within the ANC also plays out significantly in the public

domain. The dynamics observed in Chapter 5 - where non-executive ANC councillors supported councillors from the opposition parties in rejecting the decision taken by the executive committee to adopt a municipal organogram resulting in the reversal of the consultation processes back to the Local Labour Forum (LLF) committee in order to redress the flawed procedures brought forward by the trade union - are quiet striking (see chapter 5, p153). Again we can see how this form of resistance and internal opposition, which will be further discussed, generates a shift in balance of power and exclusionary practices between non-executive and executive ANC councillors.

#### *6.3.6 Lack of Ward Councillor Support and Red Tape Bureaucracy*

The top-down bureaucratic manner in which local government organisations have been structured, generally tend to constrain ANC ward councillors from raising and debating about community service delivery issues in council meetings or executive committee. The municipal council and its decision-making political management structures, such as the executive committee and committees, are structured and organised in a bureaucratic manner that does not provide ANC ward councillors with a platform to debate on everyday community service delivery issues in these platforms. During the fieldwork, it had come to my attention as an observer of council and executive committee meetings how the mayor would refer ANC councillors back to the relevant committee when councillors raised the issues during committee meetings. They were often referred back to the relevant committee, or alternatively follow the procedure of raising day-to-day issues such as bursting water pipes, aging sewerage, faulty meter readings and billing, power failures with the administration if not file reports through the speaker's office (Executive Committee Observation, Kalahari Municipality, October 2014 – August 2015).

The executive committee and its committees on the other hand continued to deal with departmental administrative and operational issues. Decisions that had been collated into an executive committee report submitted to council, were also given very little room for opening up a debate on how best to respond to poor service delivery (ibid). The committee system used in local government in fact shapes the agenda of council and thus sets the rules of engagement and debates. Based on the ward file assessments made on ANC ward councillors, service delivery problems and issues raised by communities through the ward councillor were reoccurring in the ward file reports, suggesting that

either ANC ward councillors' files were not properly checked/monitored or not resolved by the administration (Field notes, Kalahari Municipality, January 2015 – March 2015). This was one aspect that most ANC ward councillors, especially those governing in deprived wards that were geographically located away from municipal city centre, were consistently complaining about (Focus group discussion, ANC ward councillors, 26 March 2015). In other words, there is generally a lack of political monitoring system and support given to by the speaker's office to ANC ward councillors so as to assist them in executing their duties as community representatives. This also suggests that the systemic piling of unresolved problems (ibid) and lack of political intervention to resolve community issues contributes towards the perceived lack of representational responsiveness of ward councillors.

When I asked why ANC ward councillors had come to cease holding community meetings during the period of 2014 – 15 as observed from the ward councillors' files, one councillor remarked that:

We stopped holding community meetings because communities ask about previous issues from previous meetings, which the municipality fails to resolve. I have tried time and time again to raise problems with the administration or the speaker's office. But nothing gets done. Some of us are tired because we end up looking stupid, as though we are not taking community problems serious. (Focus group, Councillor Steenkamp, 26 March 2015)

Another councillor interjected in our discussion by saying that:

We are being accused of not holding community meetings. But how can we hold community meetings when we cannot report back to communities on the previous issues and problems communities raised? So what is the use of holding these meetings? (Focus group, Councillor Molefe, 26 March 2015).

The sense of powerlessness experienced by councillors in terms of being able to resolve community problems and the inability to bring about immediate tangible change further contributes to the visible decline in the morale and work ethics of ward councillors. Yet some ANC ward councillors who attempted to raise ward service delivery issues in council were referred back to the relevant committee or administrative department to resolve them. The sentiments shared by councillors suggest that institutional procedures can also contribute towards councillors' lack of power to ensure community issues are effectively and efficiently being resolved.

### *6.3.7 Lack of Political Leadership Capacity and Experience*

The concern of lack of political experience seems to be the preoccupation of ANC councillors. Councillors identified this as an impediment in their ability to effectively execute their scrutiny oversight function over the administration. ANC councillors would cite how the administration would use their inability to comprehend operational reports delivered in committee and council meetings to their advantage by concealing important and deviant information behind technical jargon and cluttered information. This was not only a perception of ward councillors but executive committee members raised this issue as one of the problems which in their previous term of office, led to councillors into taking irregular and uninformed decisions. (Focus group discussion, ANC councillors, 26 March 2015).

They [administration] send us heaps of thick reports. These reports are often sent at the last minute before a council sitting. We are supposed to get the council agenda at least seven days before the council meeting but they would send us documents a day before council. We now have to rush through the documents during the ANC caucus without going through them properly. Some of these reports contain important information that requires us as councillors to approve. (Focus group, Councillor Mothupi, 26 March 2015)

This explains why the cases of irregular financial misconduct that was allegedly committed by the finance department concerning monies being paid to a consultant without the full knowledge of non-executive and executive councillors. In this manner, councillors often overlooked important information that would be potentially useful for assessing and scrutinising decisions that have financial implications made by the administration and executive committee. ANC councillors also often compared themselves to DA councillors from the opposition party. As one councillor said,

DA councillors are more meticulous when they scrutinise reports. They read everything from narrative reports to financial statements. Some of our councillors can't even make sense of these figures in the financial statements. (Interview with Councillor Boipelo, 12 July 2014).

Another councillor also made an important yet eye opening contribution to explain why DA councillors were seen to have more capacity and demonstrated commitment into scrutinising reports.

You see the DA uses a different system of electing councillors. Their candidates are properly screened and appointed according to their skills and expertise. They even retain councillors to continue serving after their term of office has expired because of their experience. Unlike in the

ANC, our councillors are elected according to factional lines. If you belong to a popular dominant faction, chances are you will get elected and be rewarded with a position in the executive committee. Capacity to lead, manage and perform does not feature anywhere in the ANC. (Interview with Councillor Phakathi, MPAC Chairperson, 17 August 2014)

The above assertions make it difficult to disentangle skills acquisition from racial power, taking into account the racial historical trajectory of South Africa. The consequence of a racially segregated education system subjected many Black South Africans to an inferior Bantu Education system. As a result, Black South Africans were deprived from acquiring an education and skills that would allow them to participate in various in highly skilled jobs and other well-paying professions. In the post-apartheid era, there is ambivalence towards skills (von Holdt, 2010:249), where mostly White South Africans are seen to have more knowledge, skills and expertise as consequences of apartheid policies that privileged minority White South Africans. Therefore knowledge and skills were associated with White racial domination, of which in this case, the DA as an opposition party that has majority White councillors are associated with this line of thinking.

Nevertheless, the issue of ANC councillor candidate selection is a much more complex process obfuscated by internal party lobbying, patronage and manipulation of candidate lists by branch, and regional party officials. It is bolstered by the patronage system of nominating candidates based on factionalism and the prospective allotment of public resources once candidates are elected into office (see Butler, 2014). The relationship is reciprocal thus the expectation is that once candidates are elected by branch members through a system of patronage and rent-seeking, state resources would be dispensed to loyal supporters as a form of reward. On one hand, the issue of lack of qualifications also proliferates the phenomenon of competition for councillorship office amongst ANC members, due to the limitations of obtaining employment elsewhere (ibid).

Therefore local government is viewed as an employment security for most councillors (see Ndletyana, 2014). Hence ANC councillors queried the rationale in the perpetual ANC practice of 'out with the old - in with the new' as one ANC councillor commented (Informal Discussion with ANC Councillors, July 2015 – August 2015) each time there was a local government election, which subverted the need for institutional memory and skills development (see von Holdt, 2010). Moreover, the informal and uncontrolled flow of financial resources during ANC leadership elections, where business characters forge

alliances with ANC local and provincial party leaders and paying for branch and regional party members to vote for ‘cherry-picked candidates’ (Butler; 2010:17) has also been identified as a major problem that does not only pose a threat to the ANC’s internal democracy (Friedman, 2010:162-165), but also facilitates the undue influence of private business over the autonomy of state decision-making.

This also raises the contentious debate on capacity of councillors that is linked with existing preconditions for elections and deployment of ANC councillors into key in decision-making. Many scholars have also adamantly pointed to the ANC cadre deployment policy (1997) as the main contribution to the erosion of state capacity from bureaucratic perspective. They have argued that the deployment of ANC members to serve in the municipal state apparatus is done without merit nor management and technical skills competence required for implementing its developmental mandate (see for example De Visser, 2010; Cameron, 2010; Maserumule, 2014; Mashele and Qobo, 2014; Booysen, 2015). Nevertheless, it can be argued that technical skills do not significantly feature in the roles and responsibilities of councillors compared to the bureaucratic officials (Schneider, Barron and Fonn, 2007; von Holdt and Murphy, 2007). However, there has been an ongoing discussion that is centred around selecting ANC councillor candidates within the ambit of the ANC’s overall political agenda of a ‘developmental local government’ which requires political leadership acumen as described by Evans (1999), which scholars and academics often make emphasise as critical in the developmental state agenda (see Atkinson, 2007, Butler, 2010; Edigheji, 2005 and 2010; Fine, 2010; Southall, 2007).

On this note, the ANC has acknowledged its own weaknesses relating to the dire lack of professional and educational capacity amongst its members in general (ANC, 2007). While the ANC has declared its intention of building its internal capacity through intensive education and training in order advance its aspirations of leading a developmental state. They also made declarations in its local government elections manifesto ‘it will put measures in place to deploy persons with requisite skills and expertise in, for example: finance, housing, water and sewerage, infrastructure, planning, transport and local economic government development, to different Council Committees’ (ANC, 2016:1-2). However, the preconditions or the criteria used in the nomination and selection processes of ANC councillors that reflect these indicators remains highly



ambiguous as to what extent do ANC local branch and regional structures actually take these into account when selecting ANC councillor candidates. Butler (2010) stresses the point that labelling a state 'developmental' does not necessarily make developmental in its conduct. In other words, the declarative nature of the ANC and government officials that illustrate an interest of becoming a developmental state and the actual actions taken by the ANC and government in constructing a developmental state are paradoxical if not contradictory. It also tells us about the party's failure to effectively reconfigure and adapt its Deployment Policy (1997) to meet the evolving political leadership needs of what ANC councillors in this thesis term a 'modern' state that would be required to provide effective political leadership to find innovative development solutions for complex local government institutions.

#### **6.4 Understanding Councillor - Administrative Interface and Inter-dependency**

##### *6.4.3 Joint System of Executive and Administrative Decision-Making*

There exists a theoretical assumption that the political sphere is separate from the administrative one. Within the separatist dichotomy, politicians as elected representatives make policy decisions, and the administrators translate these policy decisions into action for the implementation of those policies (Lipsky, 1980). The South African legislation for local government (Section 56 and 57 of The Municipal Systems Act 1998), also draw on the premise that provides a clear distinction between the municipal manager and the managers accountable him/her. It also provides a neat and clearly defined framework for the division of labour, roles and responsibilities of both the administration and political sphere (councillors and political office bearers) (see Section 56 of The Municipal Systems Act, 1998).

Although there is a clear demarcation of lines, in practice, we see how ANC councillors often depend on the administration as professionals in decision-making, especially in committee and executive committee work. In these committees, senior managers are drawn into this political sphere of the executive committee to provide councillors with information, reports and advice on certain issues through reciprocal engagement with councillors (Stoker, 1999). Moreover, councillors have to provide oversight over the administration by monitoring the implementation of decisions taken by council (Svara,

1999). The joint sittings and engagements observed throughout this research proves an understanding that politicians and administrators complement each other's roles in decision-making (Svara and Mouritzen, 2002), which makes it difficult to divorce administrators from political process of decision-making as suggested by scholars who advance the separatist dichotomy between politics and administration.

#### *6.4.4 Lack of Administrative Responsiveness and Accountability*

Taking into account that ANC councillors are dependent on policy advice and information coming from administrators as sectoral experts on administrative and policy matters, on the other hand ANC councillors were also of the view that absolute dependency on the administration frequently rendered them vulnerable to manipulation and misguidance from the side of the administration in decision-making. ANC councillors' experience of encountering difficulties in holding the administration accountable for non-delivery of services frustrates their ability to resolve community problems and also implementing council decisions in their respective committees. The impact of administrative unresponsiveness on councillors' representational role at local government is one aspect that has not been sufficiently dealt with by analysts who study the relationship between politicians and administrators in the South African public service at the national level (Cameron, 2010; De Visser, 2009, 2010; Mafunisa, 2003; Mapunye, 2010).

Administrative responsiveness and efficiency, which also has an impact on councillor representational roles, is a thematic issue that came out acutely in this research under subject of the political-administrative interface. ANC councillors who are directly accountable to the electorate are likely to be seen by their electorate as being unresponsive and failing to represent the interests of the community - whereas the unresponsiveness and inefficiency of the administration responsible for the execution of service delivery also contributes to councillors electoral mandate failures. As a consequence of community pressure exerted on ANC ward councillors, including committee chairs and members who are also facing pressure to provide council with committee progress reports, ward councillors have seen it best to be proactively taking action by interfering and putting pressure on the administration. This can be viewed as interference by the administration.

From the perspective of ward councillors, councillors opt to send community members to administrative officials when they demand answers on unresolved grievances and queries relating to their wards (see chapter 3, p95). As Thornhill (2005:183) explained, this is mainly due to the fact that issues involved in municipalities concern the daily lives of communities. Therefore councillors become the first point of contact when communities experience problems in their wards related municipal services. Councillors, in turn tend to liaise directly with managers or administrative officials who are responsible for managing the municipal services, or worse still, with the particular officials involved in delivering the service. This practice tends to cloud the insulation of administration from political interference, making it impossible for councillors not to meddle in administrative functions.

#### *6.4.5 Political Interference vs Intervention in the Administration*

For ANC councillors who are responsible for committee work, they acknowledged that their actions of putting pressure on the administration to speedily resolve service delivery issues could be viewed as interference in the administration according to the municipal legislation. Yet at the same time, councillors also argue that resorting to pre-emptive measures and rather than remaining passive, is the only way to ‘get things done’. Thus, ANC councillors define their actions as justified ‘intervention’ rather than ‘political interference’ in the affairs of the administration. According to the Municipal Systems Amendment Act (2010) legislation that sought to protect administration from political interference, such actions are seen as political interference and micro-management in the affairs of the administration within the politico-administrative interface dichotomy.

The amendment of the legislation was done with the purpose of preventing councillors from interfering in administrative matters. As we have seen in chapter 4, in practice this regulation fails to take into account bureaucratic resistance, unresponsiveness and lack of accountability. The conflict observed during the Community Services Committee meeting between the Community Services chairperson and the senior manager responsible for this directorate, where councillors expressed their frustrations and felt ‘undermined’ by an unresponsive senior manager (see chapter 3, p90-91) serves as an example of how the tensions between councillors and senior managers unfold over the blurred lines between administrative and political roles and responsibilities. It shows how the penetration of the

councillors into administrative sphere occurs and why it occurs. What is clear from this particular case is that councillors demand answers from the administration, which the administration has failed to provide. This led to the chairperson and other councillors sitting in that committee to demand answers directly from line-managers, effectively bypassing the senior manager as the head of the department, with the intention of ensuring committee work gets done (ibid).

Although the Municipal Systems Amendment Act (2010) tries to regulate the blurred lines in the relationship between councillors and administrators, in reality this relationship is still characterised by inherent tensions and conflicts that arise from the ambiguity and loose definitions of what constitutes ‘political interference’ and ‘political intervention’ in the administration when councillors attempt to exercise their oversight over the administration. Councillors express concerns relating to being perceived as unable to execute their political oversight responsibilities over the administration should they remain passive. The circumvention of passiveness is expressed through the informal practices of meddling into the administration as a way of ensuring that council decisions are implemented and communities get the response they need from the administration.

Nonetheless, the frustrations expressed by councillors of dealing with unresponsive senior managers and resorting to methods that might be interpreted as interference (chapter, p70) in the administration shows the challenges that councillor’s face when exercising their roles and responsibilities. If a municipal organisation similar to that of Kalahari Municipality has senior management team that is unresponsive and unable to maintain a sound relationship with its councillors, this will negatively impact on committee work and councillors’ representational role as elected political leaders who are expected to execute their oversight roles and responsibilities. This thesis suggests that as long as the Municipal Systems Amendment Act (2010) remains silent, or at best ambiguous, on providing councillors with proper definitions of what constitutes interference in relation to exercising their powers in intervening in administrative problems, there is a likelihood that the tensions between administrators and councillors, triggered by the perceived intrusion of politicians into the administrative sphere will remain.

## **6.5 The ANC Party and State from a Local Government Perspective**

As liberation movements may have established positions of dominance, their various attempts to extend their control over key institutions have been subject to contestation (Southall, 2013:17). As we have seen in thesis, the ANC sub-national party structures (regional executive party) which has political dominant authority over its incumbents at local government level attempts to get its grip over the municipality as a proxy key site of state power and resources. Diagram 1 in chapter 1 provided the structural parallel processes of how the ANC party tries to extent its control and influence ANC over the state from a local government perspective. The ANC regional party structure is assumes legitimate political power and authority over its elected and politically appointed incumbents (councillors and administrators), using the political concept of ‘democratic centralism’ (Ellis, 2012; Kalbner, 2014). This political management practice can be historically traced from the relationship the ANC formed with the Communist Party of the Soviet Union during the liberation struggle (Ellis, 2012; McMillan, 2012; Southall, 2013).

The ANC adopted Marxist-Leninist ideologies and practices into its party formation. This included the political language the used by the party, as a way of enforcing party discipline and ideological training, of which this language is still prevalent to date in the structural management of the party and its incumbents serving in the state machinery. The ANC and its councillors continue to make reference to the concept of ‘democratic centralism’ and ‘political mandates’ of the party when explaining the hierarchical nature of ANC decision-making structures and the internal democratic methods of the party. By examining the way in which the ANC conducts its politics, we can see in this thesis that the liberation movement language still forms part of the ANC’s post-liberation political management approaches, which have been used to generate loyalty and party cohesion amongst councillors.

Using democratic centralism and political mandates as an approach to manage ANC incumbents, this approach stresses a hierarchical top-down approach in the party’s political management *modus operandi*. For Suttner (2009), the environment in which the ANC was operating under in exile, where the party’s existence and activities were dispersed and located in various countries in Africa and abroad, in most occasions it was not practical to exercise internal democracy and continues consultation with all members and lowers structures of the party. Hence post the liberation, similar principles where applied in the configuration of centralisation of ANC decision-making to the party

leadership at national, provincial and regional party structures. This gave the top structures of the ANC authoritative powers to take decisions or issue instructions as a 'political mandates', which all ANC members and officials deployed into the state machinery must abide, defend and implement without question (Southall, 2006).

### *6.5.3 Implementing ANC Political Mandates*

The above centralised and hierarchical practice finds a distinctively striking feature in ANC organisational practices at regional local level. The dominating presence of the ANC regional party structures in council and executive decision-making throughout the empirical chapters suggests that the party attempts to control the levers of power in the municipal organisation. For instance, in chapters 3 and 4, the term 'political mandate' is a term popular that is prominently used by the mayor and ANC councillors in their language to describe and justify political decisions that ANC regional party officials have bestowed into the state apparatus which must be supported, represent and implement without dissent by ANC councillors. This political language of ANC plays a central role in generating party cohesion, support and discipline from its councillors. Similarly, 'political deployees' of the ANC was another term that was commonly used by ANC councillors during our informal discussion to describe ANC councillors and administrators serving in the state apparatus (Field notes, Kalahari Municipality, October 2014 – August 2016). ANC 'political deployees' are those that are politically appointed into the political sphere as well as the administrative sphere as administrators or politicians, who are charged with the responsibility of carrying out ANC political mandates. The use of this language by ANC councillors also may be viewed as a willingness to accept and legitimise the authority of ANC regional party structure decisions.

There were a substantial number of political mandates taken by the ANC regional party that were noted in passing throughout the research, which were accepted and supported by most ANC councillors and implemented by the executive committee without question (Field note, Kalahari Municipality, October 2014 – August 2015). For example the mayor and municipal manager mentioned that decision to tighten up financial controls and stabilise the political governance of the institution came as a political mandate from the ANC; the decision to embark on the O.R Tambo Monument Project in chapter 4 was also

a political mandate from the ANC; the mayor's proposal of establishing a brick processing plant in order to create employment in the municipality was referred as a political mandate by the ANC; the municipal manager's proposal in weighing the option of using the municipality's financial borrowing powers from the Southern African Bank to accelerate the improvement of infrastructure upgrades and service delivery in township areas in preparation for the 2016 local government elections was also an ANC political mandate; and lastly, the proposal of restructuring of the organisation and development of the organogram was referred to by the mayor as political mandate of the ANC (ibid). The common denominator of these political mandates lies in the way in which the ANC party attempts to extend its tentacles into the municipality with the intention of influencing resource distribution for the benefit of the party.

Diagram 3. The Dilemma of Councillor Representation: The Party or Community Service Delivery

It not always given that party political mandates will dovetail with community interests. The dual representational role of councillors tells us that political mandates do clash if not come into conflict with interests of the broader heterogeneous society that councillors have to represent. The above diagram captures the conflict that comes with the dual mandate of representing ANC party interests as well as community interests, which in many instances often clash with each other. Although ANC councillors accept party political mandates as part of their representational focus, however, the case of the resistance in supporting the O.R Tambo Monument Project (in chapter 3), provides a



striking example of the tensions of dual representation. Although ANC councillors understood the intentions of the project from a political perspective of political mandate representation, however the binary relationship representing political mandates' and chanting 'service delivery' priorities of their communities elucidates the conflicted roles in the process of representing the competing interests of the ANC regional party and the state. At times ANC councillors are expected to place their allegiance and loyalty to the ANC party where the party takes precedence over the electorate (Corina, 1974).

Councillors as public representatives elected under the banner of the ANC party, are at times unwillingly 'pulled' towards the representative focus of their party, through the use of ANC party subordination and coercion to secure the cooperation of the ANC councillors in advancing the interests of the party. Therefore councillors have to manage and negotiate their representational focus in order to find a balance between political imperatives and community interests. This shows that councillors' attachment to the ANC party group in caucus and the regional party structure will vary in its intensity, depending on how councillors understand their primary responsibilities as representatives of the community/ward. While Rau (1998:134) argues that a councillor's focus tells us whether a councillor is more of a party person or community servant, on the other hand, it also shows that councillors may wish to carve out a loose and fluid role in which to act. Negotiating through party political mandates and community interests, as we have seen with the case of the mayor (see chapter 4:p110) comes with the representational role of being a councillor. But the rigidity of the ANC regional party structure in the way in which it suppresses internal democratic views to flow, may significantly constrain the proliferation of the voices of the electorate represented by the councillors in council.

The legitimatisation of the ANC regional party in decision-making through the use of ANC political language by councillors reinforces the ANC's regional party's objective of ensuring that councillors are devoted to maintaining party cohesion and loyalty. The establishment of this fascinating informal structure called the *Troika* in chapter 3, provides us with another example of how informal structures that represent the interests of the party are entrenched within the state, enforcing what Booysen (2015) terms as a ANC 'compliant ANC party and state'. ANC councillors viewed the *Troika* as an extension of ANC regional party decisions beyond formal municipal decision-making structures such

as the ANC party caucus and executive committee. However, the legitimacy of political mandates represented by the *Troika* remains highly questionable to councillors.

The political mandate of the *Troika* emphasis is centred on controlling the distribution of state resources through self-assigned powers and the authority above the executive committee, to take decisions regarding municipal tenders, recruitment and appointment of staff, as well as on dispensing to the administration irregular instructions, are a cause for serious concern (see chapter 4, p78). Such practices suggest that the ANC regional executive party strives to access and control all conceivable forms of state resources and decision-making channels. In this case, it can be concluded that it attempts to legitimise its authority formalisation of information structures such as the *Troika*. In the final analysis, ANC executive committee members and councillors view this as the party's *modus operandi* to erode and 'undermine' their decision-making powers and autonomy as state actors with the intention of subverting legal bureaucratic processes.

#### 6.5.4 *ANC Councillor Internal Opposition*

While authors have observed that ANC Members of Parliament, where the separation of powers is relative thus MPs often show reluctance in exhibiting a level of independence with the fear of losing party backing in the next election. Using political rewards with political appointments to generate loyalty has been found common in most liberation movements in power and post-colonial states in Africa (see Southall, 2013). However, councillors' cooperation and willingness to support ANC regional party political mandates remains debatable. As we have seen in this work, while councillors understand their role as representatives of ANC party political mandates, on the other hand their role as community representatives may clash with ANC political interests. This generates internal resistance, which contributes to the fluidity of their political roles. This is one aspect that many authors who have delved into the ANC party and state interface debate (see Booysen, 2015, Southall, 2013), have paid less attention to in terms of understanding the extent to which ANC councillors are willing to implement party 'political mandates'.

With the case of ANC councillors in Kalahari Municipality, in chapters 4 and 6, we are seeing a proliferation of internal opposition emerging within the ANC party caucus. ANC councillors are more vocal in demonstrating their disagreements and not supporting

questionable ANC regional party political mandates that have been imposed by ANC regional party structures. ANC councillors acknowledge that private economic gain and private interests of ANC regional party officials can often be masked as 'political mandates' (see chapter 3 and see chapter 5). In chapter 4, ANC councillors describe the constant interference and subordination of ANC councillors in implementing questionable political mandates as action of corruption and gatekeeping (chapter 3, p74), which generated a polarisation between the ANC regional party and ANC councillors.

ANC councillors' are beginning to question ANC regional party political mandates without fear of being purged. As one ANC councillor who is the member of the executive committee vehemently recited that they are not afraid of speaking out because they are afraid of losing their jobs or not coming back to office for another term (see chapter 4, p78). In Chapter 5, ANC ward councillors along with the mayor are able to freely communicate their scepticism and reservations to support the erection of the O.R Tambo Monument Project, which was supposedly a mandate from the ANC provincial party structure (chapter 5, p108). We can also see how the mayor was able to recite how he had openly defied ANC regional party official's orders to facilitate private talk between the ANC regional party officials and Chinese government delegates from Guangzhou Province who were looking to invest in the local economy of Kalahari Municipality (chapter 4, p95). This caused a strain in the relations between the mayor and ANC regional party officials, including the speaker who held a political position in this regional party structure.

Moreover, we can see how ANC councillors and the mayor are able to frame a moral argument from the ANC political logic and rationale of spending state resources on the O.R Tambo Monument Statue which according to them, that does not contribute to service delivery needs and the general socio-economic welfare of the community (see chapter 4, p107). This sheds a different perspective from the dominant opinion held by scholars and analysts who often use the unethical conduct of ANC party officials and parliamentary state representatives at national level to conclusively denote the subversion of the law as the decline of political ethics and the moral compass of ANC politicians serving in the state apparatus (see Mashele and Qobo, 2014). ANC councillors are willing to agree with the opposition party in refusing to support an ANC political decision.

From a local government perspective, we are seeing ANC councillors becoming more outspoken, assertive in their dissent and to a large extent, unwilling to tow party lines for the sake of securing patronage election into office. This challenges the assertions made by Southall (2013:145) that most representatives of dominant parties such as the ANC, are reluctant to exhibit a level of independence which would be read as disloyalty and consequentially see them lose their patronage backing in the next election. However, irrespective of the internal dissidence of ANC councillors, unwillingly supporting of certain party decisions also draws our attention to the way in which internal democracy and majority rule works in the ANC. The ANC party caucus chaired by the ANC chief whip that draws all ANC councillors (ward councillors and members of the executive), branch secretaries and regional party officials into a full group meeting to discuss, debate and agree through consensus on the position of the ANC based on agenda of council.

According to ANC councillors, caucus is where hard-fought political battles emerge between councillors and ANC branch and regional party officials. The ANC caucus at Kalahari Municipality was fragmented and deeply divided as a result of dominant clique that sought to control the ANC caucus agenda (see chapter 1, p87). Councillors were able to recite how the ANC caucus was characterised by conflict, tension, infighting and dissent as result of the clash between ANC councillors and a small but aggressively dominant clique of councillors that wanted to control the caucus debate. This meant party cohesion and consensus was often impossible. Majority of ANC councillors identified the speaker and chief whip as leaders of this dominant clique.

Irrespective of these internal dynamics in the ANC caucus, ANC councillors are beginning to challenge the authoritative heavy-handed approach in exercising internal party democracy through democratic centralism. Most councillors had come to agree that consensus and collective decision-making had been generated through subordination, coercion, and demand for loyalty and obedience (Focus group, ANC ward councillors, 26 March 2015) by a small clique (Leach, 2010) within the ANC regional party structure. It explains why ANC councillors' disagreement and dissatisfaction of decisions taken at the ANC caucus often spilled over into the council chamber when ANC councillors would openly opposed decisions and raised conflicting views in the presence of councillors from opposition parties. This suggests that while party cohesion and collective decision-making is mostly highly valued, the practices associated with the construct of collective decision

making in the ANC are porous and fractured. On the other hand, the dynamics that have exposed the fragility of the ANC caucus in Kalahari Municipality also mirror the way in which the ANC caucus at national parliament has become fractured and porous.

The events relating to the different opinions raised by MPs and members of the ANC national executive party with regards to the impeachment of President Jacob Zuma also suggests that there is a significant shift in the ANC's ability to generate party cohesion and party discipline. The outcome of the secret ballot, where some members of the ANC voted for the impeachment of President Jacob Zuma through the secret ballot went against the majority party decision. The defiance of ANC MPs that was expressed through dissent symbolises a party that is grappling with internal democracy and party cohesion. These internal political dynamics suggests that there is a subtle shift away from the concept of democratic centralism, which has been used to generate cohesion in caucus. Therefore ANC caucus power stems from the willingness of councillors to subordinate themselves to the demands of the ANC party group rather than through authoritative political management under the ANC's principle of democratic centralism.

#### *6.5.5 The Contradictions of ANC Deployment and Building State Capacity*

The politics of restructuring the Kalahari Municipal bureaucratic organisational structure through the development of a new organogram in chapter 5, also provides another scenario of the conflicting imperatives between the national governments agenda of building a developmental state, the political interests of ANC regional party officials and the municipal union. Local government reforms introduced by National Treasury which seeks to reduce the size of the bureaucracy and develop capacity for local government bureaucracy needed for effective and efficient delivery of services, introduces a different dimension into the political dynamics of Kalahari Municipality. The executive committee's decision to restructure the organisation in order to create and fill vacant positions with technically skilled employees is located within the ongoing local government reforms. Overall, the complexities of councillors representing and implementing the development state agenda were reinforced by contradictory rationales and multiple competing interests of other state actors such as the municipal union (SAMWU) and ANC regional party officials.

The excess labour generated through the national government's poverty relief programme of the EPWP programme; the irregular and patronage deployment of ANC affiliated members into the speaker's office; the pressure from the municipal union on the administration to absorb all unskilled contract workers (see chapter 5, p154-155); and the municipal workers lack of interest in upgrading their education and skills through SITA (chapter 5, p140) further provides us with evidence that is needed to for understanding why national government has grappled with implementing local government capacity building reforms. With the increasing levels of unemployment and poverty and the state being the main source of employment, we can see how the state has been used to secure livelihoods at Kalahari Municipality.

ANC deployment has been heavily criticised by most public administration because of its potential of undermining administrative rules and eroding the culture of professionalism and impartiality, which are in contravention with administrative law under Weberian rational-legal authority (Naidoo, 2014). However, we need to first understand deployment within the ANC historical trajectory. For the ANC, changing the White colonial face of the bureaucracy meant the adoption of the affirmative action policy as a political rational for demographic racial redress (Ndletyana, 2008), which paid less attention to the appointment of public servants using the merit system. The introduction of the affirmative action reinforced the ANC deployment as a strategy of transforming the former apartheid state with bureaucracy that would have be responsive to the ANC's political and policy agenda. To be precise, ANC cadre deployments were mainly targeted at cabinet/executive structures (the cabinet, ministries, municipal political office bearers, committee heads etc.) and key strategic decision-making management positions in the administrative sphere (director general, chief directors, municipal managers and municipal directors) (Maphai, 1992).

However, the system of political appointment is not unique to post-apartheid South Africa. For most post-colonial African states that gained independence in the 1960s, replacing colonial administration was based under what Ohemeng and Adarkwa (2015:24) term as 'Africanising' the state, which was done through political appointments of the bureaucracy, which often disregarded the Weberian merit-based system. Political appointments were not only used as a tool to generate bureaucratic loyalty to sustain political power and hegemony of post-colonial liberation movements, but it was also used

as an ideology by the ANC to ensure the implementation of the National Democratic Revolution (ibid).

ANC deployment has been understood as an essential tool for transformation (Southall, 2013). Nevertheless, ANC deployment has been characterised by concentrated practices of patronage. The dynamic interplay between deployment and distribution of state resources for ANC loyal members form part of the three fundamental types of deployment that have been identified by the researcher in this analysis. These are *patronage deployment*, *irregular deployments* and *quasi-deployment* that are distinguished from essential or strategic deployment of the ANC mentioned by Southall (2013), which do not feature in the Weberian bureaucratic model. Using Southall's (2013) definition of *essential deployment*, this type of deployment stems from the ANC's post-apartheid transformation agenda of using the affirmative action policy and partisan ideological representation of the ANC through the appointment of its loyal ANC comrades into the state machinery. Even though essential deployment did not pay much attention to competency and skills (merit) public servants, however, political appointments can be done using both partisan and merit-based criteria.

In the case of *Patronage deployment* identified in this thesis, it refers to appointing ANC members who are appointed through nepotism, with or without the requisite competency and skills into the administration based on their personal and partisan connection with ANC party officials as a form of reward for loyalty (see Ndletyana, 2014; Lodge, 2014; Beresford, 2015; Dawson, 2014) and securing employment. A partisan and merit-based criterion is also applied in some instances, adhering to processes of bureaucratic recruitment of public servants. The recruitment is done through the proper state bureaucratic Human Resource processes of recruitment, interviews and appointments as we have seen with the interviews that were disrupted by SAMWU members in chapter 6.

However, formal bureaucratic recruitment processes are supplemented with informal ANC deployment that is done through the ANC deployment committee structure with the purpose of appointing loyal ANC members into strategic positions (senior decision-making position) of the administration. This means that local government does entirely function in a patrimonial setting as suggested in the context of African states. In return, politically appointed administrators are expected to carry out political mandates derived



from the ANC and they become resourceful personnel through which the ANC party can use to access state resources for partisan political ends. Administrators appointed within this type of deployment are therefore subjected to party political accountability and subordination.

*Irregular deployment* is characterised by the appointment of ANC members through their personal and political connections with ANC leaders without necessarily following bureaucratic recruitment processes of the state. The objective is to deploy a person loyal to an ANC politician or specific group/faction of ANC politicians, with the intention of manipulating administrative processes and distributing resources for the benefit of ANC political masters and factions. To be more specific, the distribution of state resources is mostly done in a manner that typically leads to subverting bureaucratic legal processes that may result in maladministration, fraud and corruption. However, irregular deployment does not discount the fact that some ANC members maybe appointed with minimum competency requirement and therefore are capable of using the law to manipulate resource for the benefit of ANC political officials and political office bearers.

However, in most cases, irregular deployment is made without the intention of adding much bureaucratic professional value to the administration, which may undermine professional competency, required in executing their administrative roles and functions (Cameron, 2010; Mapunye, 2001; Mafunisa, 2003; Atkinson, 2007; Maseremule, 2015). The forceful attempt to make irregular appointments ‘through the back-door’ (Interview with James Nxumalo, SAMWU Chairperson, 3 December 2015) during the negotiations of the organogram, which was said to be an ANC regional ‘party political mandate’ (see chapter 5, p155) is reflective of the a recruitment process that has not passed through the necessary deployment committee processes that involve the alliance partners of the ANC in the regional party structure. This means that even within the ANC, the process of deployment is not transparent and inconsistent.

*Quasi-deployment* refers the deployment of an individual from a community, who has personal connections with ANC branch and regional party officials and does not necessarily possesses political membership as a member of the ANC party nor even the minimum requisite skills, education and experience for a job. However, the individual is appointed to a position (including cleaners, porters, drivers, receptionists) with the

purpose of securing a livelihood and not necessarily to manipulate economic resources and spin-offs for politicians. In Kopecky's (2011) comparative study of party control of appointments in Ghana and South Africa seems to confirm the clientelistic nature of deployment practices in local government. It can be argued that the clientelistic nature of deployment is further proliferated by the political and economic local conditions that feed into the political deployment system of the ANC. Although this thesis tried to disentangle deployment for the understanding of how it occurs by identifying the power relationship between ANC politicians and administrators, however, these forms of deployment may at times overlap, coexist and the patron-client relations between politicians and their clients vary in the levels of intensity within a local setting (see Gajduscek, 2007). This thesis also tries to highlight an important adverse characteristic of deployment that most scholars fail to disentangle when analysing the characteristic of deployments. Therefore a clear distinction of deployments in relation to the practices of deployed public servants inside the municipal organisation is an important theme for exploration by scholars who sought to examine the practice and implications of political appointments in the public service.

Nevertheless, this thesis has managed to bring our attention towards the understanding of how deployment facilitate patronage, particularly the direct relationship between ANC regional party officials and administrators in relation to the distribution of resources by senior managers to ANC regional and branch party officials and their affiliates. There are adverse effects that come with this relationship, such as the likelihood of having rogue administrators who enjoy impunity and political protection from ANC politicians and may use their autonomy to defying their political superiors in government in pursuit of their own partisan or personal ends. As we have seen with the senior manager who was able to use his administrative autonomy to make irregular appointments of ANC branch members into the Corporate Services Department in contravention of the executive committee moratorium presented in chapter 5.

As some councillors noted in chapter 3 and 4, the ANC partisan administrative system particularly promotes a culture of administrative impunity in which senior manager's escape from facing legal sanctions and disciplinary consequences for the subversion of administrative law and regulations in exchange for distributing state resources to ANC branch and regional party officials. Sole (2010:191) observes that the deployment of ANC

cadres into the administration often came with an unwritten mandate to bend administrative rules for the benefit of the ANC party knowing that they will face little consequences for their actions. The manifestation of political insubordination and subversion of bureaucratic processes is an important revelation that this thesis has been able to identify as an adverse characteristic of deployed public servants.

Another adverse effect of deployment is the marginalisation of qualified professionals (see p133) in favour of partisan administrators who have deeper political connections and networks with ANC regional and branch party structure. Although most senior managers at Kalahari Municipality portrayed the minimum competency skills and experience required for the senior management positions, however, it is worth noting that irrespective of the concern is raised in the national government NDP (2012) against patronage deployments in the middle and lower positions of the administration, this practice continues to penetrate the system of the merit-based appointment system. This suggests that there is interplay between patronage and irregular deployment resulting in what I term in thesis the ‘decapitation’ of the state, while some state actors sought to promote practices that building the capacity of the state. ANC councillors and the municipal union, who are part of the alliance partnership with the ANC, are also becoming more critical about the manifestation of such patronage, irregular and quasi-deployments permeated by ANC regional party political interference in the appointment of administrators.

#### *6.5.6 Depoliticizing A Partisan Administration*

The Municipal Systems Amendment Act (2010) introduced in 2010 with the aim of depoliticising the administration by barring senior managers from holding political positions in the local party structures whilst serving as public sector officials; did not take into account political connections, networks and partisan norms that haven been entrenched into the partisan system of local government. Irrespective of senior managers not holding political positions in ANC local structures; they are deployed by the ANC into the bureaucracy as loyal party members to their ANC local branches and regional party structures. The close connection administrators maintain with the ANC local branch and regional party structures enables a discrete expectation that they will serve and be responsive to the partisan norms and interests of ANC regional party officials, which may result in the subversion of professional and neutral values promoted within administration

norms. This means that administrative norms are not immune partisan political norms. Instead, both formal and informal practices are applied at local government level.

This proves that in a partisan local government system, depoliticising the administration is a much more complex process that must take into consideration the party-state relations of post liberation parties such as the ANC in power. Partisanship amongst administrators has been normalised and the practices of part-state conflation shape the way in which public servants exercise their administrative autonomy for the benefit of the political party in power. Therefore administrators are not insulated from external politics of the ANC as a ruling party in council which sought to entrench its hegemony and control over the levers of state power. Instead, partisan administrators understand their partisan and bureaucratic legal role in facilitating the ANC's hegemony and power in controlling the distribution of government resources. The willingness to subordinate themselves comes without say in implementing ANC political mandates coming directly from ANC party political officials, which runs contrary to the attributes of an autonomous and effective bureaucracy proposed by Evans, (1995:12-13) for South Africa to become a 'developmental state'.

More importantly, the nuances brought forward by the thesis demonstrate how administrators have both formal and informal dimensions, and therefore bureaucratic change is shaped by their complex interaction and the tenacity of informal elements (Lowndes and Leach; 2004:561-563). This brings us back to neo-patrimonial logics and practices studied by Medard (1991). As this chapter has demonstrated through the conduct of municipal unions, ANC regional politicians and some partisan administrators, the informal practices implicate the various levels of the municipality (political to administrative functionaries). Although Medard (1991:333) stresses the confusion between the public and private domains, here we can see how formal dimensions are constantly being flouted in favour for political ends through the use of patronage. Beyond formal rules, patron-client networks are installed and anchored in the bureaucratic structures of local government administration and political decision-making.

It also shows how these informal and formal dimensions of conducting council politics and decision-making are also constrained by the external political environment and local context that politicised administrators find themselves operating under. Therefore, the prospects of introducing a bureaucracy that is completely insulated from politics and

private sectional interests of ANC regional party officials, with the aim of fostering a professional, capable, non-partisan administration that is autonomous, remains doubtful under the inherent ANC party and state conflation practices at sub-national level. The ANC's position of retaining the deployment system as highlighted by the 'hybrid system political and merit-based system of appointment recommended by the NDP (2012:411), without tightening internal controls in the ANC system of deployment, will bring very little change needed for enabling bureaucratic capacity.

## 7 CHAPTER SEVEN

### CONCLUSION:

#### UNDERSTANDING THE COMPLEXITY OF LOCAL GOVERNMENT COUNCILLOR REPRESENTATION, ANC REGIONAL POLITICS AND PARTISAN BUREAUCRACY

Through empirically produced knowledge, this thesis attempted to contribute to the academic debate about the dynamics of local government party politics and ANC councillor representation in South African. Commentary and research that has been produced by scholars that particularly focuses on local government in South Africa so far, has lacked empirical grounded research generated from organisational ethnography that seeks to examine the work of councillors who are given the electoral mandate of representing the developmental interests of their communities. More than often, councillors have been criticised for being concerned with using state resources for self-enrichment and representing their own personal interests (Atkinson, 2007; Alexander, 2010), which can be characterised within the general perception of patrimonial characteristic of African states. In order to understand these criticisms, this thesis examined the experiences and everyday practices of councillors' representational focus and role in relation to their responsibility of ensuring that local government is responsive to the developmental needs of local communities. This thesis shifted from using quantitative data derived from newspaper reports, government reports, citizen-surveys revealing the disenchantment towards local government expressed in popular protests used by scholars to generalise and draw conclusions on the dire failures of councillors representational roles (see Atkinson, 2007; Alexander, 2010; Booysen, 2007; Beall, 2007; Benit-Gbaffou, 2014; Southall, 2007).

This objective of thesis was to highlight the importance of using alternative methodological approaches such as organisational ethnography to better understand the complexity of representative local democracy. In other words, this thesis does not try to prescribe *what councillors should do* but it provides a deeper insight into *what councillors actually do in practice* when they execute their representational mandate in decision-making. Therefore organisational ethnography has been employed as an appropriate methodology for better understanding the practices of councillors' representation in

council decision-making; the relationship between councillors and ANC regional party politics; and the way in which this relationship (re)shapes councillor representation in local government decision-making in South Africa. This methodological approach unveils the processes and practices of local government municipal institutions, the municipal bureaucratic authority and power; and the way in which the municipality's administration distribute resources and take administrative decisions on the provision of services. Instead of viewing local government as a homogenous entity, it presents local government as a context specific municipal organisational entity that is composed by a bundle of practices and processes in a field of complex powers and contestations (for similar perspective see Bierschenk and Olivier de Sardan, 2014:15).

The thesis closely zoomed in and observed the practices of political state actors through shadowing and observing ANC councillors during political decision-making processes at the apex of the political sphere of Kalahari Municipality. It also explored how ANC councillors understood representation through the prism of ANC party and state. This was done through the examination of how the ANC regional party structure; the ANC aligned municipal union (SAMWU); and ANC affiliated senior managers who are charged with the responsibility executing council decisions; influence and shape councillor decision-making roles and responsibilities. The thesis argued that beneath the surface of ANC patronage politics, corruption and popular protests against lack of local government's capacity to deliver services brought forward by scholars and commentators who view local government as a homogenous entity; lays deeper and systematic tensions and contradictions of representative local democracy that needs to be understood from councillors' perspective. Practices which seek to strengthen and weaken the development of the state do coexist (ibid) and they vary in their intensity in their local context. Therefore councillors' representational autonomy and powers in practice should be understood within the politics of multiple state actors and the ANC's struggle for control over local government.

#### *Neopatrimonialism and a Resistant Local Government State*

This thesis located itself within debate of neopatrimonialism associated with corruption and patronage that has been raised as a concern amongst scholars studying public administration and political science in South Africa. Prominent scholars such as Bayart (1993), Chabal and Daloz (1999) define African states as either predatory or patrimonial



states. Patrimonial states have been characterised as states that are predominantly ruled through personalised traditional forms of rule, authoritarianism and lack of democracy, tribal and regional politics, nepotism, tribalism, patronage, corruption and cronyism and factionalism (Gazibo, 2012). However, Chabal and Daloz (1999) have been criticised for inadequately problematizing the state, treating it as if it exists outside of the society in which it is located. They have also been criticised for generalising and portraying these experiences as a disparate collection of phenomena that is unique to Africa thus depicting the history of the continent as if it were static (see Kawabata 2006).

The concept of neopatrimonialism was then later predominantly advanced by Medard (2002) as a way of showing how patrimonial practices within the state, pervert the entire modern state and result in the dissolution of the public sphere into the private interests and networks. However, Tshiyembe (1998) also boldly rejects the neopatrimonialism concept due the tendency of tying corruption and clientelism as some sort of exception for African bureaucratic states. Recently, we have seen emerging contributions from examining states beyond the continent of Africa. Barisone's (2012) work on Silvio Berlusconi in Italy, Bourmaud's (2012) work on Franco-African relations and Caoutte's (2012) work on the Philippines, provide a much needed reassessment of making Africa as an exceptional case of neopatrimonialism. On the other hand, Therkildsen (2005) argues that the term neopatrimonialism becomes a 'catch-all phrase' that lumps together all forms of social relations with political and administrative systems.

This thesis contributes to the recent turning point in the interpretation of neopatrimonialism by showing that in South Africa there is a form of resistance from patrimonial practices within the state and informal practices do not necessary dominate formal the bureaucratic legal-rationale. Irrespective of the practice of interception and coexistence of both formal and informal practices that are tied to the partisan bureaucratic state at local government level, however in this thesis, councillors have demonstrated that private and public realm is distinguishable through the criticism that councillors wage against private elite accumulation of politicians, which challenges the patrimonial assumption of predatory forms development. As Gazibo (2012:2) puts it, 'neopatrimonialism does not need to permeate the entire state, but may be of varying intensity, with the result of different patterns of interactions between the public and private sphere, and an ongoing ability to produce public policies'.

The interplay between patronage, corruption and gate-keeping have been raised by scholars as a threat to the development role of local government in South Africa (see Alexander, 2010; Atkinson, 2007 and 2010; Booysen, 2007; Beall, 2007; Benit-Gbaffou, 2014; Beresford, 2014; Dawson, 2014; Ndletyana et al, 2014; Southall, 2007; von Holdt et al, 2011; Pieterse and von Donk, 2013). Based on the escalating protest action against the 'lack of service delivery' playing out in the public domain, Atkinson (2007) and Southall (2007) have come to a rather deterministic conclusion that local government resembles a 'failing' and 'dysfunctional' rather than a 'developmental' state. This conclusion fails to detect the nuances between different local government municipal institutions, their patronage models, performance and partial functionality. In lumping municipalities together as a homogenous normative state entity, their alternative developmental trajectories and varied practices are obscured.

Scholars who criticise ANC deployment (known as political appointments) also tend to view this practice as part of a neopatrimonial system that is characteristic in the appointment of public servants which deviates from the Weberian merit-based system. This debate has brought about calls for the abolishment of ANC deployment, suggesting that such action would provide a tenable solution for improving service delivery and 'building a capable and developmental' local government (see Cameron, 2010). This thesis problematizes this solution as rather too simplistic because it assumes that political appointments come without bureaucratic merit based appointments and therefore political appointments have reconfigured local government into a hollow shell that has no capacity which relies on lack of operational distinction between bureaucratic and unregulated forms of neopatrimonial political appointments. While patronage appointments have had adverse effects in terms of the idea of having a bureaucracy that displays neutrality, professional and non-partisan norms as seen in this thesis, however this does not provide adequate evidence that reveals a clear relationship between dysfunctional municipalities that are managed by politically appointed bureaucrats.

The case of Kalahari Municipality provides us with empirical evidence that irrespective of the general challenges related to ongoing practices of political appointments and bureaucratic capacity in the lower levels of the organisation, the municipal administration does continue to function and partially deliver services to its communities. The strategy of

reorganising the organisation using the proposed organogram with the aim of improving the municipal organisational capacity and employing more qualified professionals shows that other state actors do employ practices that seek to strengthen that capacity and image of the state while others may continue with practices that weaken the image of the state (Schlinche, 2005: 19). Furthermore, while the NDP (2014:411) makes a policy assertion of adopting a hybrid system of political and merit-based system of appointment, on the other hand there is increasing resistance from within the ANC against continuous patronage appointments expressed by ANC councillors and their alliance partner municipal union (SAMWU) at Kalahari Municipality. They challenge the idea of allowing patronage political appointments of public servants to supersede the merit-based system of appointment, which subverts the agenda of professionalising local government. ANC deployment practices do coexist with partial merit-based system of appointment. Therefore this thesis challenges the homogenous assumption that local government in South Africa is dysfunctional based on the critique of patronage political appointments (ANC deployment) made into bureaucracy and service delivery protests found in most municipalities. Local government bureaucracy continues to demonstrate a combined pattern of stable production of goods and services while simultaneously experiencing political interference and patronage appointments into the local government bureaucracy. Instead of fixating on ANC deployment as a deviant practice, this thesis suggests that more attention should be given into understanding the local government as a partisan bureaucracy in its current form instead of measuring it against the Weberian ideal-type.

Also drawing on literature on ‘big man’ politics of corruption that focus on Jacob Zuma in South Africa (Booyesen, 2015), this phenomenon also tends to be particularistic, in that it tends to focus on the actors at the apex of the system at national government level, rather than demonstrating the varied developmental outcomes of both functional and dysfunctional municipalities in South Africa. Using local government as a nexus for analysing of the interception of both informal ANC party processes and formal council/executive practices of decision-making, this thesis contributes to the broader debates about neopatrimonialism in African states, by sharing similar assertions made by Gazibo (2012) and Moene (2012), that a state can be both partially developmental and neopatrimonial at the same time. Although South Africa’s economy does not show signs of significant economic growth (see Altman, 2013; Chitaga-Mabugu, 2013) compared to other Asian developing countries such as Singapore, Malaysia and China that are setting

the course of neopatrimonial development. However, the post-apartheid state has managed to establish a stable public service that has delivered infrastructure development and policies that are responsive to poverty despite the persistence of corruption and patronage with the ANC ruling party (von Holdt, 2010). Therefore development in this thesis is not confined to the minimalistic definition of economic development attributed to Asian developing states that continuously being compared to South Africa (see Fine, 2010), but it encapsulates a broader set of state actors' practices and processes that have been examined which determined the ability for the local government to provide services and development to communities. This thesis reaffirms von Holdt's (2010) assertion that practices and dynamics involved in the political management of state actors tells us that municipalities have to be understood within their complex political environment and institutional context.

However, this thesis does not deny that the underlying concern of the party-state conflation as suggested by Booysen (2015), which postulates a state captured by partisan interests and its struggle for access to state resources for personal gain, which contributes to the subversion of bureaucratic legal processes. While South Africa may show strands of subtle neopatrimonial characteristics from below (local government level) that are strongly tied to type of partisan bureaucratic system embedded into a process of conflating informal practices of the ANC party with the state. However, through the use of empirical evidence produced in this thesis, ANC councillors as elected public representatives do show threads of resistance against the dominant penetration of particularistic interests of ANC officials into the processes of local government decision-making. This resistance is directed at defying the manifestation of state capture by the ANC regional party propelled by corruption and patronage practices in local government. In essence, this thesis has cautioned the use of corruption as a precursor that defines the characteristic of local government as this prevents us from exploring the ways in which councillors navigate and negotiate their way around rent-seeking practices of ANC regional structures and partisan administrators who play a key role in facilitating corruption.

### *The Contradictions of Local Government Development*

The contradictions of local government development have been first noted in Chapter 2 of this thesis, which provided a historical trajectory of what Powel (2012) terms as the

‘chaotic processes’ of transforming post-apartheid local government within the ANC’s four terms in office. It demonstrated how the implementation of local government reforms has been an imperfect transition built onto an already unfolding process of neo-liberal reforms that began in the late 1980s under the apartheid government. The post-apartheid GEAR reform policies that were initiated in the process configuring a neo-liberal state helps us to understand how such policies produced what we see today as popular protests that have been observed in many municipalities. This chapter also managed to show how national government has struggled with implementing local government reforms and fiscal austerities under the pressures of debt-recovery. It attempted to show how the debates on the developmental role of local government is located within this turbulent period of implementing fiscal austerity reforms in conjunction with local government’s constitutional obligation of ensuring it becomes a sphere of government that brings socio-economic developmental and the delivery of basic services to communities (see Lodge, 2002; Pieterse and van Donk, 2013; Hart, 2014).

Drawing on the popular protests, most authors have debated whether South Africa portrays characteristics of a developmental state from a socio-economic development perspective (see Edigheji, 2005 and 2010; Southall, 2007; Fine, 2010 and 2012; Butler, 2010; von Holdt, 2010; Akoojee, 2010; Gumede, 2010; Djik and Croucamp, 2007). Chapter 5 in this thesis particularly contributes to the tenacious ongoing debate about the ANC deployment policy, which according to most authors, has subverted the application of professionalism and competency in the appointment of administrators at local government level (see De Visser, 2009; Cameron, 2010; Mohale, 2015, and Mathebula, 2016). Councillors continuously have to deal with the obstinate challenge of taking decisions of replacing unskilled workers in the lower levels of the administration and employing technically skilled workers needed for improving service delivery at local government level. This decision is framed within the national government priority of building state capacity needed for implementing a developmental state (see NDP, 2012). This is also part of an ongoing process of implementing administrative reforms related to reducing the size of the bureaucracy that has been led by the National Treasury since the early 2000s.

However, as the thesis has demonstrated, National Treasury reforms are obfuscated by the politics of ANC deployment, patronage and securing employment for less skilled workers

that contribute to the decapitation of the local government bureaucracy. These issues were captured in chapter 5, by showing the ways in which councillors have to manage the conflict arising from three particularistic agendas of the executive committee, the municipal union (SAMWU) and ANC regional party structure. While there was pressure from the National Treasury to restructure the municipal organisation by laying-off redundant and unskilled workers in order to employ skilled workers and professionals, on the other hand councillors also had to carefully manage the negotiations with their municipal trade union alliance partner (SAMWU) in their quest for absorbing more contract workers and channelling more resources to keep unemployed unskilled EPWP workers on the municipal payroll. Other pressures emanated from the ANC regional party, which sought to continuously use patronage deployment to appoint ANC members and affiliates into the municipal organisation.

These political dynamics portray the ways in which the national government's National Development Plan (2012) aspiration of becoming a developmental state through building state capacity with competent and technically skilled professions is subverted by contradictory practices at local government level. This thesis points out that national government has very little control, influence or reach into the changing the political practices of municipalities. This thesis has been able to problematize the implementation of national government capacity building reforms through the crystallisation of the contradictory practices of different state actors that intersect each other, which shape the continuous struggle faced by local government decision-makers in the process of achieving the developmental status.

#### *Understanding Councillor's Prescribed Roles*

It became apparent during my field work that the connection between community development interests represented by councillors and the outcome of decisions taken by councillors in council were complicated than what it was anticipated before embarking the study. This illuminates the understanding that there are tensions and conflicts within the system of representative local democracy. These tensions and conflicts are manifested by councillors' dilemma of dually representing the multi-layered competing interests of the *ANC regional party* and the *communities'* councillors represent. In turn, these competing interests influence or shape the outcome of council and executive decision-

making processes. This sheds light into how councillors have to manage and negotiate their representational role in decision-making.

Initially, there was assumption made at the beginning of this study that councillors' representational focus is largely shaped by their prescribed roles of representing community development interests. However, this thesis reveals that the actual practices of councillor representation differs from the prescribed roles of councillors and how councillors actually approach their work in practice. In this thesis, it emerges that councillors' representational role is not narrowly bound to the parochial community-orientated form of representation. The mundane division of labour between non-executive ordinary ward councillors and executive councillors leads to the understanding that councillors' activities are mainly spread around their day-to-day executive committee and ward/community work. Thus ward councillors stationed at the ward, are more focused on representing the everyday issues or problems emerging from communities.

Councillors appointed to serve in the executive committee as political office-bearers, spend most of their time in the council offices and become more focused on day-to-day management issues, concerning the overseeing of the operational functionality of administrative departments in relation to implementing council resolutions. The exclusion of ordinary ward councillors from participating in executive decision-making underpins ANC ward councillors' feelings of marginalisation and disempowerment from influencing executive decisions impacting on their wards. This forced ward councillors to devise alternative ways of responding and resolving ward issues through the direct confrontation and interaction with the administration, which administrators sometimes viewed it as interference in the administration.

Moreover, the delineation of political management roles of councillors reinforces the multi-layered power struggles and exclusionary politics amongst non-executive and executive councillors. As this thesis has demonstrated in chapter 4, being a member of the executive or a portfolio committee is considered by councillors as upward mobility into higher decision-making structures in the political sphere. This upward mobility comes with position of authority as political-office bearers in the various structures of decision-making. Such positions enable councillors to access state resources for private benefit, authority over the administration, the power to influence decision-making and distribution



of resources, thus producing a nuanced form of politics of exclusion amongst the group of ANC councillors. Whilst there could be an assumption made that ANC councillors belonging to ruling party group in council have equal access power and influence, it emerges in this thesis that is not always the case. The differentiated levels of influence of councillors from the ANC ruling party group in council contributes to Page's (1999:205) concept of 'insider outsiders', where the unequal status of councillors determined by the political office position they hold can however, relegate non-executive ward councillors as outsiders in the process of decision-making.

There are other multi-layered power struggles and conflict shown in this thesis between political office bearers such as the mayor and speaker in chapter 3. The conflict between the mayor and the speaker observed in this thesis corroborates with De Visser's (2010) study on the practices of blurring of lines between the council (legislative) and executive committee systems observed in most municipalities in South Africa. However, it emerged that tensions were not caused by poorly defined legislative roles and segregation of powers between the mayor and speaker as De Visser (2010) suggested. Municipal councils such as Kalahari Municipality, continue to fuse the council-executive committee system, which makes it difficult to define the lines of authority and power over the committees under the leadership of the mayor and the speaker. However, in this thesis, it is found that the council-executive committee system practice is further complicated by the introduction of an informal decision-making structure such as the *Troika*. Though its powers of the *Troika* are legitimised by the ANC regional party, ANC councillors on the other hand view such an informal structure as an illegitimate extension of the ANC regional party powers that sets to formalise its decision-making authority in the municipal organisation. Therefore ANC councillors criticize the existence of the *Troika* within the ambit of pursuing what they viewed as a questionable political agenda for the private benefit of ANC regional party officials.

#### *Political-administrative Interface*

While authors have advocated for the separation between politics and administration (see Cameron, 2003 and 2010; Dasandi, 2014; Mafunisa, 2003; Mapunye, 2009; Naidoo, 2014; Maserumule, 2015), evidence presented in chapter 3 suggests that it is impossible to do so. It is understood that political interference has been cited by local government scholar such

as De Visser (2009), Cameron (2010), Mapunye (2009), Maseremule (2015) as the main contribution to the conflict ridden relationship between councillors and senior managers in local government. In contrast to the suggestions of separating the administration from political processes as way of curbing this interference, this thesis shows that this process is more complicated than it seems.

Firstly, this thesis contributes to political-administrative tensions observed by the above mentioned scholars by showing that this relationship is indeed rigged with tensions and conflict between councillors and senior managers. Taking into account that Local Government Municipal Systems Amendment Act (2010) regulation was developed with the aim of curbing political-administration tensions. On the contrary, evidence from Kalahari Municipality suggests that this regulation has made no fundamental changes into neutralising tensions and improving the relationship between councillors and senior managers. While councillors have been barred from interfering in administration processes, this thesis shows that this practice continues to exist and the administrators' political impartiality have not changed either.

Secondly, senior managers exploit the autonomy given by regulation of barring councillors from interfering in the administration. Senior managers do so by using the regulation to shield them from being held accountable when councillors exercise their oversight role over the administration. Thirdly, the lack of a legislative clarity and definition of what constitutes 'interference' and 'intervention' in the administration also fuels to the ambiguity of councillor's understanding of their oversight role in the administration. In the absence of legislation that gives councillors powers to hold unresponsive senior managers accountable, this opens up room for different interpretations offered by councillors in this thesis, which enable the continuous practices of 'interference' that are justified by councillors as 'intervention'.

Fourthly, the regulations does very little to protect councillors and senior managers from external ANC regional party interference and perpetual micro-management in the executive and administrative affairs of the municipality. In this regard, it is argued in this thesis that the ANC partisan nature of the local government administrative system, which embodies both the political and administrative spheres of local government, makes it difficult to entrench a total separation between political norms and administrative values.

This aspect is not adequately addressed by the local government legislation and contributes to the phenomenon that we have seen in this thesis of administrators executing ANC party political decision-making mandates derived directly from ANC regional party officials – which further mystifies the demarcation of ANC regional party from the state (council, executive and administration) authority in the municipality.

### *Patronage and Partisan Bureaucracy*

The partisan political ties between senior managers and ANC regional and branch officials that taint the dichotomy of separating the ANC party from the state have its implications on the functionality of the municipal administration. As we have seen with the allegations of corruption and financial mismanagement of funds allocated to the OR Tambo Monument in chapter 4, projects of this magnitude may also place decision-makers in a precarious position, because they have the potential of fostering a catalytic opportunity for financial private gain for some municipal officials and ANC regional officials. While there is a general perception that councillors are often implicitly involved in patronage and corruption as suggested by some authors (see Atkinson, 2007; Alexander, 2010). The narrow interpretation of patronage relations of councillors and communities do not help us to disentangle the patron-client relationship between senior managers and ANC regional party officials. Evidence in this thesis suggests that senior managers affiliated with the ANC – who are responsible for the management and administration of finances of the municipality - are in fact more directly involved in the manipulation of municipal finances for the benefit of ANC regional party officials. For the purpose contributing to the discourse on municipal corruption, this chapter revealed that the everyday practices of patronage; partisan relations between ANC regional party officials and senior managers (quid-pro quo particularistic exchange) provide a politically enabling environment for municipal corruption. The idea that senior managers enjoy ‘political protection’ as a reward for embezzling municipal finances for the personal gain of ANC regional party officials perpetuates a culture of impunity and earning certain senior managers an ‘untouchable status’.

This thesis has also been able to show different ways that councillors deal with allegations of corruption in the administration. Dealing with allegations of administrative corruption is a complicated process ought to be understood by taking into account the particularities of both bureaucratic and political processes that are often employed by councillors. This

thesis demonstrated how an internal municipal investigation into corruption is augmented by councillors' affinity of wanting a political solution and intervention from the ANC regional party. This suggests that councillors simultaneously apply both informal political and formal bureaucratic norms in dealing with allegations of municipal corruption. In other words, bureaucratic legal processes are captured by ANC political processes of dealing with ANC affiliated members implicated in corruption, which influence the action taken by councillors in dealing with allegations of corruption.

These practices provide us with an explanation of why corruption investigations often result in very little legal sanctions against those implicated in corruption. The application of political norms of councillors are also expressed by showing partisan loyalty towards the ANC by avoiding to take legal action against ANC affiliated senior managers implicated in financial misconduct. Councillors do so with the aim of showing loyalty and protecting the ANC from public embarrassment. This thesis argues that patron-client relations between ANC regional party officials and senior manager and the partisan loyalty of councillors contribute to the culture of bureaucratic impunity that we seeing in local government.

#### *Fluidity of Partisan Loyalties and the Autonomy of Councillors*

This thesis has been able to demonstrate that the ANC regional party structure has a fundamental impact on the way councillors exercise representative local democracy and the conduct of council politics. This thesis corroborates with Copus' (2004:273) assertion that the existence of political parties within council politics has a profound effect on the relationship between councillors and their communities they represent. Drawing on Copus' (2004) work of party politics and local democracy, this thesis revealed that the ANC regional party uses its hegemony as the ruling party to exert its political authority in council decision-making. Therefore representation is viewed by the ANC regional party as its domain, thus subjecting councillors to representing its party political decisions and interests (ibid). The dominating presence of the ANC party creates tensions in the process where councillors have to represent issues that do not fall within the priority mandate of the ANC regional party.

In order to understand this tension, the thesis has drawn our attention to the impact of the ANC regional party in the process of council decision-making in chapters 3, 4 and 5,

reminding us that while councillors on the one hand are expected to place the interests of the community at the forefront of their representation focus, on the other hand they also have the party political mandate to represent. This thesis contributes to Booysen's (2015) party-state conflation framework, by revealing the dual representational dilemma often faced by councillors. The ANC party-state framework helps us to understand that irrespective of councillors' different views, the rationale in supporting the ANC provincial and regional party decisions such as the O.R Tambo Monument project in chapter 4 is largely shaped by these partisan loyalties.

On the other hand, ANC councillors' refusal to support the proposed new organogram in chapter 5, illuminates that partisan loyalty is dynamic and prone to dissent, thus producing conflict and turbulence in collective decision-making. Such actions generate an internal opposition within the ANC party caucus. The authoritative management style and practice of the ANC chief whip in charge of the ANC caucus at Kalahari Municipality presented in chapter 3, also reveals that there is a fundamental weaknesses in terms of how decisions are taken in the ANC caucus. It also shows how partisan loyalty and collective decision-making with ANC is generate through subordination, domination and coercion, contrary to the general internal 'democratic centralism' principle advocated by the ANC which allows for debates and consensus (Suttner, 2006).

ANC councillors are beginning to openly challenge the authoritative manner in which consensus is reached in order to generate collective decision-making in the ANC party caucus. Councillors, through their overt display of defiance and refusal to support ANC caucus decisions in council meetings, challenge the way in which the ANC construction of party cohesion and collective decision-making. At times, their overt support for views shared by the opposition parties, demonstrate that councillors are willing to defy the towing of party lines. As we have seen in chapters 3 and 5, the council chamber ultimately becomes the space for articulating dissenting views of ANC councillors outside the parameters of the ANC caucus. The display of defiance against ANC caucus rules of collective decision-making also shows that councillors' attachment to the ANC party group in caucus and the ANC regional political structure will vary in its intensity, depending on how councillors relate to their primary responsibilities as representatives of the community, and their willingness to protect the interests of the municipal organisation from ANC regional party particularistic interests.

This thesis also discloses that ANC councillors' representative autonomy is in some way eroded because of the way in which the ANC regional party attempts to control the decision-making powers of councillors. This is done under the enforcement of adhering to the ANC political mandate form of representation, which demonstrates the ANC regional party aspiration for accessing and controlling how councillors distribution of municipal resources. To a large extent, ANC councillors are beginning to question the rationale behind some of the ANC regional party political mandates, which are known to be marred with particularistic interests of ANC regional party officials. Therefore ANC political mandates fluctuate between political and particularistic interests, and ANC councillors find such inconsistencies both frustrating and suspicious, leading them to conclude that particularistic interests have become an integral part of the ANC's regional party's effort to influence all facets of municipal decision-making and resource distribution.

In summary, this thesis has been able to demonstrate how we can use organisational ethnography of elected representatives such as councillors to understand that the representational role of councillors that is embedded within both the municipal organisational politics as well as external ANC party political dynamics, which shape council politics and decision-making. Therefore the political decision-making spheres of a municipal council, becomes a potential site of internal party conflict, contestation and tensions. It has also managed to reveal how municipal organisations are permeated with tensions and conflicts between prescribed roles and responsibilities, on the one hand, and the real conduct of politicians and administrators on the other. The prescribed legislative rules that define the lines of power and authority are contradicted by various overlapping political structures and actors seeking to capture power and authority in decision-making.

It is within these complexities and contradictions that we need to understand the politics of council decision-making and councillors' representation. The multi-layered competing interests of state actors reflected in the practices of the dominant role in the political conduct of ANC regional party; the rigidity of municipal unions; unresponsive conduct of the administration seeking autonomy; altogether determine the extent to which councillors are able to represent and implement the development interests of their communities. The absence of a review or exploration of councillor roles and representation in relation to other state actors in local government is the gap that this thesis has attempted to contribute

in the existing debates and literature of local government politics, municipal bureaucratic corruption and councillors' representational roles and practices in South Africa.



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## APPENIX A

### Interview List

- The Mayor, 23 November 2014
- The Speaker, 17 July 2015
- Councillor Modimole, 3 November 2014
- Councillor Peterson, Ward Councillor 5 June 2015 and 20 August 2015
- Councillor Steenkamp, Ward Councillor 23 June 2015
- Councillor Grootboom, Ward Councillor 19 November 2015
- Councillor Nene, Ward Councillor, 17 August 2015
- Councillor Nobengula, Chairperson Utility Services 29 July 2015
- Councillor Lenkwe, Chairperson Corporate Service Committee 21 July 2015
- Councillor Jacobs, Ward Councillor and Member of the Municipal Public Accounts Committee 21 April 2015
- Councillor Komane, Chairperson, Infrastructure Services 20 January 2015
- Councillor Mngoma, Chairperson Integrated Development Planning 5 May 2015
- Councillor Phakathi, Chairperson Municipal Public Accounts Committee 13 August 2015
- Councillor Thabethe, Chairperson Local Economic Development 17 July and 19 August 2015

Councillor Nhleko, Chairperson Intergovernmental Relations 14 July 2015

Councillor Boipelo, Chairperson Human Settlement, 12 July 2015

Councillor Molefe, Ward Councillors and Member of the Corporate Services Committee 20 August 2015

Municipal Manager 14 January 2015 and 3 March 2015

Director Planning and Local Economic Development 4 June 2015

Manager Legal Services, 17 August 2015

Director Human Resource 18 August 2015

Director Infrastructure Development 11 February 2015

Director of Finance (CFO), 7 August 2015

James Nxumalo, Chairperson, South African Municipal Workers Association, 23 August 2015 and 3 December 2015

Ward 27 ANC Branch Youth League Member 26 November 2015

Ward 17 ANC Branch Chairperson 21 July 2015

Ward 30 ANC Branch Chairperson 23 July 2015

Ward 23 ANC Branch Chairperson 22 June 2015

Vuyo Mahali, ANC Regional Party Secretary 15 February 2015

This list excludes the numerous Council, Mayoral Executive Committee and Community Services Committee meetings I observed, including focus group and informal discussions I had with my key informants. Interviews with councillors, senior managers and members of SAMWU were anonymised and pseudonyms were used in all cases except for the job title and functions.